Making Poetry Too Easy HELEN VENDLER

Will Clinton Ruin the Internet? LAWRENCE LESSIG

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THE NEW REPUBLIC

UNE 19, 2000

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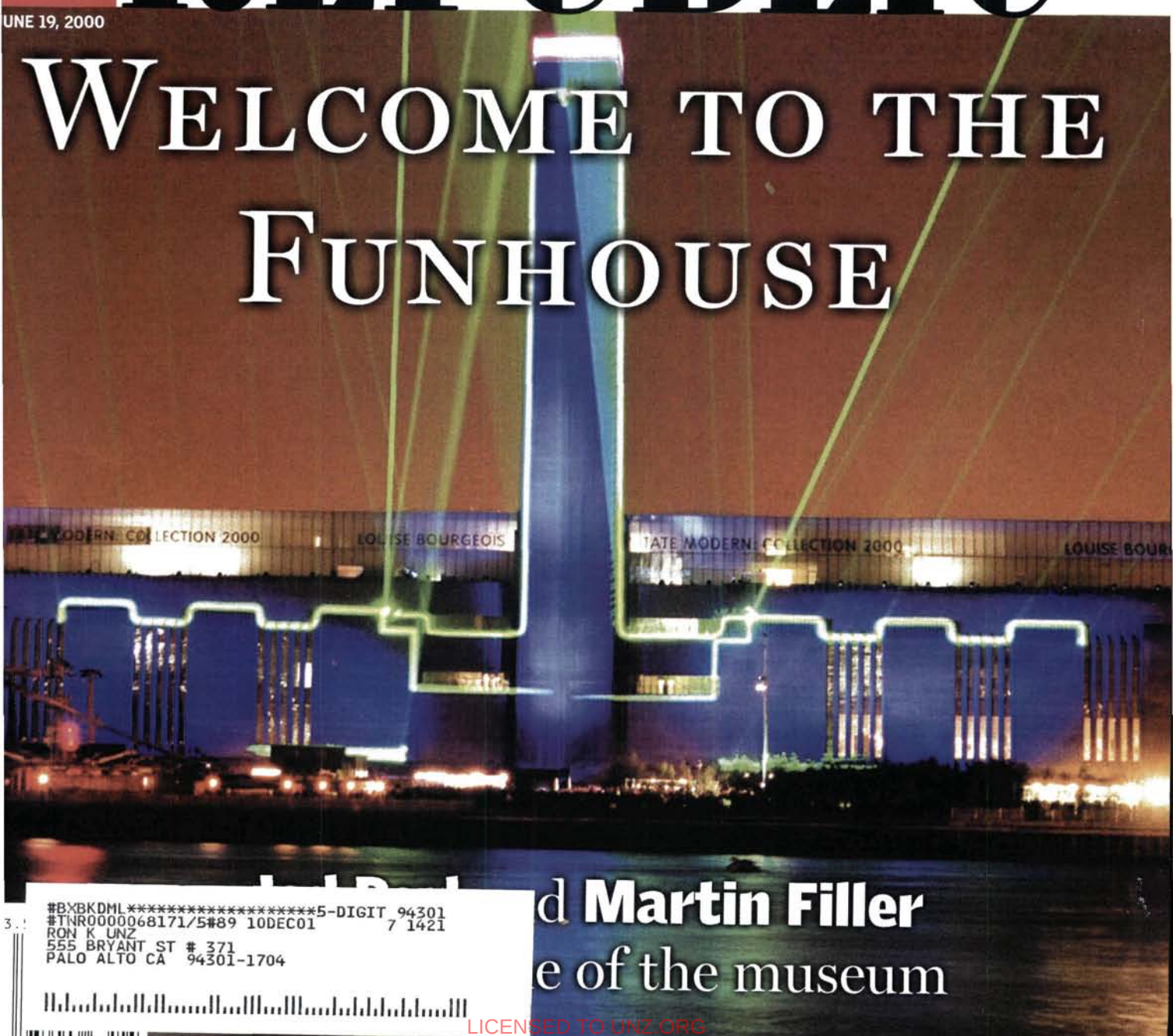

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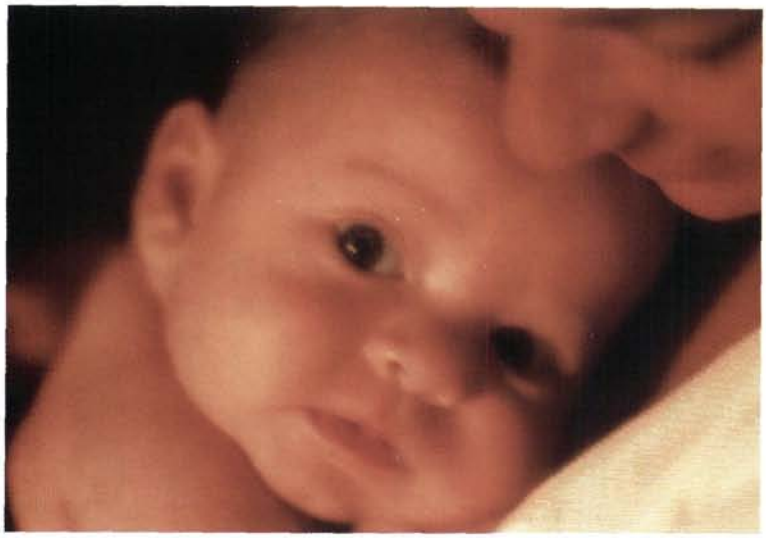

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THE NEW REPUBLIC

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CORRESPONDENCE

Everybody's a critic

TO THE EDITORS:
Franklin Foer ("The Wayward Critic," May 15) is confused. His second sentence refers to Howard Kurtz as "*The Washington Post*'s media reporter." That's exactly what he is. Then Foer goes after him for not being more like A.J. Liebling, "the patron saint of media criticism." He ends up comparing Kurtz unfavorably to the *Post*'s book, movie, and TV critics.

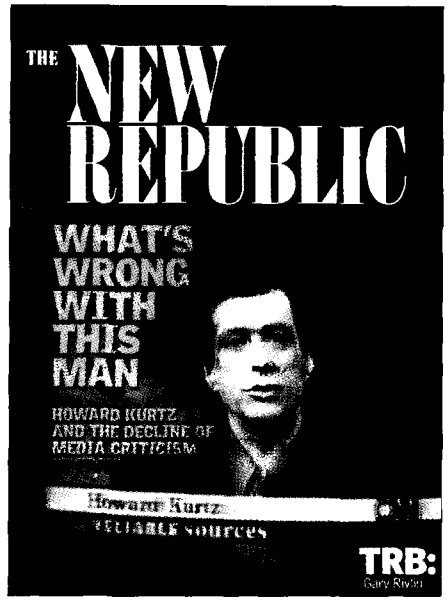
The relevant fact is in Foer's second sentence: Kurtz is a *reporter* (Webster: "a person who gathers information and writes reports for publication in a newspaper"), not a *critic* ("a person who forms and expresses judgments of people or things according to certain standards or values"). His weekly column allows him to show his feelings on occasion, but his job is to report news from the world of the news media, not to pontificate. The *Post* doesn't have a media critic. The *Post* has a fine media reporter, Kurtz, who ought not to be flagellated for not being what he isn't supposed to be and doesn't claim to be.

ROBERT KAISER
Associate Editor and Senior Correspondent
The Washington Post
Washington, D.C.

TO THE EDITORS:
Franklin Foer's criticism of Howard Kurtz ignores the dramatic changes that have taken place among both the media and its critics since A.J. Liebling's heyday. Journalists have become major political players and personal celebrities. In response, an army of academics, think tankers, and opinion journalists now critique the content of news reporting. But someone needs to expose hypocrisies and conflicts of interest among these self-appointed watchdogs, who point out everyone's foibles but their own. The media beat is well-matched to this role, and Kurtz is its premier practitioner. Everybody's a media critic these days, but there's no surfeit of good reporting on the media. For all his virtues, if Liebling hadn't existed, it wouldn't be necessary to invent him.

S. ROBERT LICHTER
President
Center for Media and Public Affairs
Washington, D.C.

TO THE EDITORS:
Franklin Foer's essay about Howard Kurtz ignores one of the *Post* reporter's greatest failings. When I was the media critic for *Newsweek*, the magazine had a very simple (and logical) rule: I was never allowed to write for any other publication. (That rule



was changed after Jonathan Alter took over the beat.) Kurtz sees no problem in taking money from the people he writes about, from Time Warner to Condé Nast and even *Brill's Content*. How do these blatant conflicts affect the way he decides what's worth covering? I don't know, but I'm sure he doesn't either. It is inconceivable that *The Washington Post* would allow this kind of conflict of interest for anyone covering any other beat. Can you imagine the Detroit correspondent becoming a consultant for General Motors? No wonder Kurtz describes the press as a "remote arrogant part of the governing elite."

CHARLES KAISER
New York, New York

TO THE EDITORS:
Franklin Foer's ambitious (if spectacularly wrongheaded) analysis of my work certainly falls under the banner of fair criticism—and at least you didn't run an ugly picture of me on the cover. It would have been a bit fairer, though, had your reporter been up-front enough to acknowledge that he was working on a piece about me, rather than an essay on media criticism, and thereby allowed me a couple of token sentences to respond to his main thesis.

The themes that have emerged from my reporting and book-writing over the years—the growing gap between a disgusted public and a journalistic elite, the uses and abuses of spin, the effect of racial tensions on reporting, the impact of Matt Drudge and other cyberinvaders, the slide toward sensationalism, the prosecutorial culture of modern journalism, and fabrications at many media outlets, including (gee, this must have gotten squeezed out) THE NEW REPUBLIC—are big enough for anyone's canvas. But I explore them not through ideological bloviating, of which there is surely a surplus, but through old-fashioned reporting that lets the reader decide.

Readers, by the way, are smart. They know that too much of what passes these days as media criticism—a game anyone is welcome to play—is actually partisan hot air. So I'm proud to be a reporter, not a theater critic. I'm sure A.J. Liebling would understand.

HOWARD KURTZ
The Washington Post
Washington, D.C.

FRANKLIN FOER REPLIES:
Howard Kurtz's complaint about procedure nicely illustrates my point. But he's incorrect. He says I wasn't up-front about my intentions in our conversations. However, about a month before the piece ran, I told him explicitly that he was its subject.

Line dancing

TO THE EDITORS:
Ryan Lizza's piece on *The Miami Herald* ("Between the Lines," May 15) was utter nonsense, but perhaps I shouldn't be surprised at such shoddy reporting when Lizza couldn't summon the energy to interview the paper's publisher, executive editor, or editorial page editor.

We have written more than 1,000 stories on the Elián González case over the last five months, and Lizza was able to find only three instances when others beat us. However, he found no story that we suppressed, no fact that was withheld. Nor does he cite a single story that was neutered. Still, based on scant evidence, Lizza spins the preposterously false theory that we are plagued by "ethnic demons" and leaves the impression that we are weak-kneed out of fear of the Cuban-American community.

With the rarest exception, *The Miami Herald* has led on the Elián story, and I am immensely proud of our coverage. By your own account, we ran stories that contradicted the editorial position of the paper and that irritated many Cuban-Americans. We pursued the facts wherever they led without regard to whom we might offend. And, judging from scores of e-mail and voice-mail messages and personal conversations, we have offended just about everybody. For every accusation that we have pandered to Cuban-Americans, there has been an opposing claim that we deliberately set out to attack them and to ridicule their beliefs. One Cuban-American leader recently wrote us to complain of the "leftist-rednecks, xenophobic

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haters in the newsroom" and to announce that after 33 years "a *Miami Herald* will not enter my home." A student wrote us to say that it was a "disgrace" how we had "condemned and demoralized the Hispanic community." The truth is that we have sought to be both aggressive and balanced. I am convinced that a fair assessment of our coverage would show that we have succeeded.

On the rare occasion when we were beaten on a story, we reacted immediately. When *The New York Times* first reported the DUI convictions within the Miami family, our assistant managing editor for metro news instantly scolded the staff for failing to unearth that information—"all because several reporters thought a thorough background check had been done on Elián's Miami relatives." As it turned out, he wrote, "only the most cursory of checks had been run." We immediately reported the DUI convictions.

There is ample evidence, all ignored in your piece, that we weren't cowed by anyone. Dozens of stories brought us stinging criticism from the Cuban-American community. We reported on Marisleysis González's history of repeated hospitalizations. We reported on psychiatrists' concerns about Elián's mental health while in the care of his relatives. Our story noted that Elián was acting out and had bitten the psychologist the Miami family had retained. That piece spoke specifically to how Elián was being cared for. We sought to be fair, however. We also ran stories that reflected the views of the Miami relatives and of the vast majority of Cuban-Americans.

Is there debate in the newsroom about our coverage? Yes, at times there has been, just as there has been in the community. Fortunately, we have an environment where people feel free to speak up and can get the ear of the editor and the publisher. Some Cuban-Americans on our staff contend that certain stories have had an anti-Cuban tone. No one on the staff, as far as I know, maintains that we have softened or suppressed stories.

Your story turns what I see as virtue into vice. Did I call upon staffers to stop making remarks that many Cuban-American staffers interpreted as ethnic slurs? Yes. We all prefer a jocular newsroom, but I don't apologize for insisting that staffers refrain from making comments that would have been deemed unacceptable if applied to other ethnic groups. Did we remove a particularly vile message that attacked individual staffers from our computer system? Yes. What could possibly be wrong with that? The sender of that vile message, by the way, felt our coverage had been virulently anti-Cuban. So much for the idea that we've pulled our punches. We haven't, and we won't. Anyone who is genuinely familiar with our coverage and the integrity of our staff knows that.

MARTIN BARON
Executive Editor
The Miami Herald
Miami, Florida

TO THE EDITORS:
Echoing the opening sentence of Ryan Lizza's piece: There is no greater obligation for a magazine presuming to pass judgment on others than to get its facts straight. As a former Knight Ridder vice president of news who dealt with the *Herald* during most of the 1990s, I found the number of Lizza's errors stunning. That's not surprising, however, since your reporter failed to honor the most basic rule of journalism and never called his targets, including *Herald* publisher Alberto Ibarguen, executive editor Martin Baron, and editorial page editor Tom Fiedler.

Lizza says the *Herald*'s share of Pulitzer Prizes dried up in the '90s. The paper won five in that decade, including the 1999 Pulitzer for investigative reporting—for aggressive pursuit of fraud in a Miami mayoral election whose outcome was overturned as a result of the *Herald*'s reporting.

Lizza quotes an unnamed *Herald* "veteran" as saying the paper "quit doing tough stories." That's absurd, as Lizza could have verified with even a superficial reading of the paper over the past few years. The *Herald* has tackled corruption and political cronyism at City Hall, the Port of Miami, and Miami International Airport, among many other tough stories.

Lizza cavalierly dismisses the hiring of former publisher David Lawrence in 1989 as "ill-fated." Lizza has a right to that opinion, wrong as I think it is, but to suggest that Lawrence was hired as "a staunch devotee of 'civic journalism'" is just goofy. Civic journalism as a concept was virtually unknown in 1989, and Lawrence wasn't hired to "placate the Cuban-American community." He was hired after a distinguished career as a Knight Ridder editor and publisher that had made him one of the most prominent leaders in American journalism.

What Lizza chose to portray as pandering to the Cuban-American population of South Florida others have seen as a careful balancing act by a *Miami Herald* determined to be tough, thorough, and fair at a time of civic crisis. Yes, the *Herald* missed some stories, for which staffers were chastised. The *Herald* also broke stories potentially displeasing to many of its readers, including the hospitalizations of Marisleysis González. Finally, if the *Herald* was bending over backward not to offend Cuban-Americans, why were Cuban-American staffers so upset about much of the coverage—unhappiness, by the way, first reported in *The Miami Herald*?

This sort of shallow, error-filled, intellectually inconsistent criticism is unworthy of THE NEW REPUBLIC.

CLARK HOYT
Washington Editor
Knight Ridder
Washington, D.C.

TO THE EDITORS:
Ryan Lizza's article about *The Miami Herald* included an inaccurate and unfair allegation that civic journalism has "proved to be the downfall of many papers across the country." Lizza cited not a single example. Nor can he. However, the Pew Center for Civic Journalism could supply him with numerous examples of such journalism applied with highly successful results throughout the country. In some cases newspapers have achieved circulation gains through aggressive civic-journalism projects that involved their readers in addressing community problems. Civic journalism has been controversial, but only among a dwindling number of critics. In fact, numerous news organizations and journalism schools throughout the country have enthusiastically embraced the concept.

JACK NELSON
Chairman, Advisory Committee
Pew Center for Civic Journalism
Washington, D.C.

RYAN LIZZA REPLIES:
For all their hyperbole, Martin Baron and Clark Hoyt do not credibly contest any facts in my piece. Baron says the evidence for my main argument is thin. But the examples I cited spoke to the central issue in the Elián saga: whether Elián's Miami relatives were fit to care for him. How the *Herald* covered that issue says a great deal about whether or not the paper has overcome its reputation for pandering to the Cuban-American community.

Baron writes, "On the rare occasion when we were beaten on a story, we reacted immediately." That's not true. The *Miami New Times* broke the news that two of Elián's cousins—frequent visitors to the Miami relatives' home—had long felony records. As I reported, the *Herald* ignored the story for two weeks. When the paper finally reported the information on the

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TRB

FROM WASHINGTON

Life Time

LOOK WHO'S SUDDENLY rethinking the death penalty. Pat Robertson and George Will are denouncing its chronic misapplication. In Illinois, Republican Governor George Ryan has suspended it. And this month two of its most avid practitioners, Republican Governors George W. Bush of Texas and Jim Gilmore of Virginia, intervened for the first time to allow new DNA tests for convicted murderers.

Now some conservative evangelicals and progressive Catholics are proposing to broaden the debate. While we're rethinking capital punishment, they say, we ought to rethink another kind of killing as well: abortion. But their analogy is upside-down. The reason we're rethinking the death penalty today is the same reason we liberalized abortion laws 30 years ago: We're learning that the state is too clumsy to handle it.

To abortion opponents, the essential principle in both cases is life. "If people on the so-called liberal spectrum of American politics are against capital punishment, then they certainly should be against the taking of innocent life of the unborn," Robertson argued on "Meet the Press" last month. Writing in *The New York Times Magazine* two weeks later, Andrew Sullivan challenged anti-abortion conservatives and anti-execution liberals to embrace the Catholic "seamless garment" doctrine, which holds that, on both subjects, "life is life is life. From conception to natural death, our first duty is to defend it."

But there's another, less obvious connection between the two issues. The administration of capital punishment, like the regulation of abortion, depends upon agents of the state—legislators, judges, pardon boards, governors—to translate morality into law. And, in both cases, much is lost in the translation. Nearly everyone agrees that abortion is morally troubling and that murderers should be punished. Most people concede that some abortions ought to be forbidden and some murderers ought to die. But it's quite another matter to sort out exactly when. What about the 16-year-old girl knocked up by her abusive boyfriend? What about the career criminal scheduled for lethal injection because a fellow inmate pinned a murder rap on him in exchange for time off? People who support the death penalty in principle are getting cold feet about its application because they are coming to doubt that the government makes these decisions wisely. That kind of doubt is not a reason to support tougher abortion laws. It's a reason to oppose them.

This practical caution about state enforcement of morality crosses ideological lines. Consider the career of Robert Casey, the former Democratic governor of Pennsylvania who passed away last week. Casey has been eulogized as a faithful liberal who was also a staunch defender of the unborn (see "Life of the Party," by Nat Hentoff, page 14). The Catholic journal *America*, referring to capital punishment and abortion, lamented recently that "there is no nationally recognizable successor to [Casey] as the political standard-bearer for a consistent ethic[al] approach to the life issues." But, in their haste to sew Casey's legacy into their seamless garment, his pro-life admirers have missed a stitch. While Casey's opposition to abortion was grounded in rigid principle, his concerns about the death penalty were not. Casey's approach to capital punishment was to slow it down in practice, on the grounds that a one-size-fits-all policy is too crude for the moral nuances of real life.

Officially, Casey supported executions in "limited" circumstances. But he had trouble deciding what those circumstances were. He reviewed cases at a snail's pace, allowing nearly 100 unsigned death warrants to pile up. In 1994, Casey vetoed legislation that would have forced him to sign warrants more promptly. A uniform deadline, he protested, would establish "assembly-line executions." The morality of capital punishment, he argued, wasn't that simple.

This kind of piecemeal uncertainty, not moral revelation, is what's driving today's reevaluation of the death penalty. Robertson, Ryan, and Will still support capital punishment in principle. What they question is the government's competence to decide fairly or accurately who should receive it. Texas's execution of Karla Faye Tucker—who, according to Robertson, was "out of her mind" when she committed murder and was later "born again" in prison—shook Robertson's faith that the state could be trusted to distinguish killers who deserve death from killers who don't. Meanwhile, the post-conviction exonerations of numerous death-row inmates prompted Will to counsel "skepticism" about the death penalty, on the theory that "it's a government program and will be messed up."

Even the governors of the nation's most aggressive death-penalty states are feeling the pressure of this skepticism. On June 1, both Bush and Gilmore ordered DNA tests for convicted murderer-rapists, seeking to allay questions about the men's guilt. Neither governor took issue with the morality of the death penalty. Instead, each referred to material doubts about the facts of the case before him.

Will a similar anxiety about the state's sloppy management of life and death affect the abortion debate? It already has. Four decades ago, when abortion was prohibited, stories of illegal abortions and the wretched circumstances that drove many women to seek them began to penetrate public consciousness. Americans disliked abortion in principle, but the more they heard about the moral complexity of these cases, the more uncomfortable they became with the procedure's criminalization. They began to suspect not that abortion was defensible in general but that the laws against it failed to recognize circumstances in which it might be justified. Many states created or broadened loopholes to permit the procedure. By 1973, when the Supreme Court handed down *Roe* v. *Wade*, the country's abortion laws were already unraveling.

The question of abortion, like that of execution, can be put in practical terms: How confident are you of the state's ability to comprehend and resolve the morality of each individual case? If you have misgivings about both the death penalty and broad restrictions on abortion, are you inconsistent in your respect for life? Or are you consistent in your respect for life's complexity? At its core, this perspective isn't about saving lives or fighting for women's freedom. It's about the limits of our ability to apply rigid principles. It's about humility.

This is the lesson Casey taught about capital punishment. The more he examined death-penalty cases, the more he second-guessed the system. Judges and legislators, he realized, lacked the dexterity to apply shared values to such diverse circumstances. The assembly line's flaws generated telltale errors: the moral kind that shattered Robertson's confidence in the clemency process, and the factual kind that convinced Ryan to halt executions in Illinois. In various ways, they are all raising the same question: whether decisions about capital punishment are too complicated to make on an assembly line. Maybe, just maybe, they should ask the same question about abortion.

WILLIAM SALETAN

WILLIAM SALETAN is a senior writer at *Slate.com*.

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Uncertain Death

DURING GEORGE W. Bush's five and a half years as Texas governor, his state has shown a singular affinity for the death penalty, executing nearly three times as many prisoners as its closest competitor, Virginia. One hundred and thirty-one times, Bush has enjoyed absolute certainty that a convicted felon deserved death. This despite Texas's notorious lack of safeguards to ensure a defendant's guilt: the state's Court of Criminal Appeals has one of the lowest death-penalty-reversal rates in the nation, the clemency process is shrouded in secrecy, and there is no post-conviction review board for capital cases. Moreover, since the state lacks a public-defender system, judges appoint defense counsel themselves, often offering the court-paid cases to cronies who are inexperienced, indifferent, or inept.

But this has been a year for changes of heart on capital punishment. In January, Illinois Governor George Ryan issued a statewide moratorium on the death penalty until he could be sure no innocents were awaiting execution, and George Will and Pat Robertson, previously staunch death-penalty advocates, signed on. So on June 1 Bush, too, clambered onto the conversion bandwagon, granting a 30-day reprieve to Ricky McGinn, a man charged with raping and murdering his twelve-year-old stepdaughter, so that new DNA tests could be conducted.

It is easy to be cynical about Ryan's and Robertson's and Will's epiphanies. It never occurred to them before—as their party fought to restrict death-penalty appeals and to defund legal aid—that the poor and the uneducated might lack competent representation? But at least they now admit the system has problems. Bush does not even admit that. According to him, capital punishment in Texas works fine. It's only in this one case that he's decided to go against the wishes of the state parole board and issue a reprieve. And it just happens that such a case came along while Bush was moving back to the post-primary center—just in time for him to announce his intentions during a teleconference with Catholic journalists, representatives of this year's most coveted swing vote. "I believe," Bush said, that "this is a case where it's important for me to send a signal about what I may do, because it is a case where we are dealing with a man's innocence or guilt."

And those other 131 cases? Did questions of innocence or guilt not trouble the governor when he presided over the execution of James Beathard? Beathard was convicted of a double murder on testimony from his supposed accomplice, despite the lack of any physical evidence linking him to the crime. Although the accomplice later recanted, claiming he acted alone and confirming Beathard's alibi, Beathard had missed Texas's 30-day post-conviction deadline for appeals based on new evidence. He was executed in December 1999. Or what about the case of Carl Johnson, an accused murderer whose court-appointed attorney dozed conspicuously during jury selection and crucial segments of Johnson's testimony? (Others on Texas's death row have also complained that their lawyers slept through significant parts of their trials. Contesting an inmate's appeal in one such case, the state admitted the substance but argued, "No court in this circuit was aware that it was obligated to either constantly monitor trial counsel's wakefulness or endeavor to wake counsel should he fall asleep.") Johnson was executed in September 1995.

And it's not just that Bush has waited a long time to find a death-penalty case that pricked his conscience. He's also found one where his reprieve is largely theoretical—since McGinn will probably be put to death in any case. If a DNA test of the semen implicating McGinn in his stepdaughter's rape (the aggravating factor that makes the murder a capital offense) is inconclusive or comes back positive, Bush can congratulate himself for his open-mindedness without denying death-penalty proponents their week's entertainment. And, even if the DNA test shows that McGinn didn't commit the rape, Bush still need not worry about undermining his death-penalty bona fides, since prosecutors have already announced their intention to press for McGinn's execution regardless.

America's moral climate regarding the death penalty has evidently shifted enough to make Bush worry about seeming indifferent to its unfairness. That's progress—but it doesn't do much for the 464 inmates on Texas's death row, 19 of whom are scheduled to be executed by Election Day. They deserve better than a governor who acts as if he cares whether his state accords due process to the people it decides to kill. They deserve one who actually does. ■

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NOTEBOOK

KEEPING UP WITH THE JONESES: Nike, in the doghouse for the sweatshop-like conditions in its Third World factories, is casting itself as a source of social enlightenment. In one of the shoe giant's newest ads, track-and-field star Marion "Mrs." Jones sounds off about the disparity in pay between male and female athletes. "Why are our sisters making less when they're busting their butts to the max?" Jones asks in the moody spot. "I'm speaking of pro women athletes. Are they playing any less hard than the fellas? Is their blood any less red? Whether it's tennis, track, or hoops, their sacrifice is the same. Yet women receive less. They deserve more. The more, the better.... Can you dig it?" The real question is, can Nike? As a company that pays pro athletes to endorse its products, Nike's own track record reveals the same imbalances that piss off Mrs. Jones. Nike won't confirm or deny what it pays its human billboards, but news reports reveal glaring disparities. While Michael Jordan, for instance, is reported to earn a cool $20 million per year from his Nike endorsement deal, Washington Mystics hoopster Chamique Holdsclaw, whose initial contract with Nike was the most lucrative ever for a female basketball player, will earn at least $1 million over five years. Of course, Jordan is in a class by himself; but Kathryn Reith, a Nike spokesperson, acknowledges that, in general, Nike's pay scale for women tends to be lower than for men. So what was that Mrs. Jones was saying? Jackie Thomas, director of Nike women's marketing, explains that the Jones ads are not meant to suggest Nike's own position on equal pay for female athletes but to open discussion on the issue. "We're not perfect," she says, but the subject is still worth raising, since it's "one of social currency." We'll happily admit Nike has a great record on "social currency." If it'll admit it's flagrantly hypocritical about the other kind.

FROM RUSSIA WITH LOVE: It's one thing for Bill Clinton to praise Vladimir Putin as a great democrat—you expect him to spin. You don't expect it, however, from the news pages of *The New York Times*. Last Sunday, in its front-page story about the Clinton-Putin summit, the *Times* reported that Putin is introducing legislation to "bolster the independence of the judiciary." In fact, he's doing the opposite. Part of Putin's plan to overhaul the judiciary, as Masha Gessen recently reported in these pages ("Beat the Press," June 5), consists of eliminating Russia's arbitrage courts, which have jurisdiction over business-related disputes, and its constitutional court, which reviews legislation. Both courts were created by Russian reformers in the early '90s to differentiate Russia's new justice system from the old Soviet Union's. Both exercised a good degree of independence from the Kremlin, and that, no doubt, is why Putin wants to get rid of them. Putin knows it's not easy to spin a huge bid to consolidate power as democratic reform. But it's easier when the *Times* does it for you.

SOFTER AND SOFTER: Three months ago, Al Gore dared George W. Bush to join him in forswearing soft money advertisements. He also promised to "take the first step" by asking his party not to run ads funded by soft money—that is, unregulated donations—until the Republicans did first. Well, the Republicans haven't run soft money ads yet, but now the Democrats have announced that this won't stop them after all. Gore's justifications for this back flip are, at the very least, tendentious. First, his campaign argues that independent pro-Bush groups have already run soft money ads. Fine, but Gore's original challenge didn't say independent pro-Bush groups; it said the GOP. And the Gore campaign wasn't bothered by their ads until it decided it wanted to run its own. Second, Gore's staff contends that the veep's no-first-use pledge was conditioned upon Bush's joining his broader agreement to give up soft money. This makes no sense. If Bush had agreed not to spend any soft money at all, then a no-first-use pledge would be superfluous. The only way Gore could *not* have broken his pledge, in other words, would have been if it were so tightly constructed as to have no value at all. When Gore first made his soft money promise, his staff complained that the media refused to take it seriously. Now it's clear why.

BURYING THE LEAD: "The AFL-CIO, which has endorsed Mr. Bush, said they, too, were getting worried about the signs of an economic slowdown."
—The fourteenth paragraph in a June 5 *Washington Times* article. The paper has yet to run a correction.

DEATH AND TAXES: All over the country, Republican fund-raisers are warning rich Americans that if the Democrats retake the House, their property will be confiscated and divided up between John Sweeney, Maxine Waters, and the neighborhood trial lawyer. If only. In fact, next week the House is expected to repeal the estate tax. And supporting the repeal are not just the usual GOP suspects but also loads of Democrats, including members of the Black and Progressive Caucuses. This bizarre turn of events is the result of a multiyear propaganda campaign by a tiny coterie of interested parties that has successfully cast the estate tax as a burden on the little guy. The campaign began with a coordinated effort to change the name of their nemesis from the "estate tax" to the "death tax." Thusly dubbed, the logic against the death tax becomes self-evident: "Death by itself," argues Ways and Means Committee Chairman Bill Archer, "should not trigger a tax." Of course, death by itself does *not* trigger a tax. Death coupled with the inheritance of a very large estate does. The campaign's second element has been to promulgate stories about small businesses and farmers driven out of business by estate taxes. This seems to have struck a chord with some of the congressional bleeding hearts. "They may have $5 million, but a lot of them think of themselves as middle-class or even blue-collar people," says Neil Abercrombie, a Hawaii Democrat cosponsoring the estate-tax repeal. "Like Wong's Auto Body down the street." Without knowing the financial details of Wong's Auto Body, it can be safely stated that just about anybody who has $5 million is not middle-class. Anyway, these folksy anecdotes are an obvious stalking-horse for the big estates that pay most of the tax.

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And, even if you believe no small-business owner should ever pay any estate tax at all, that is no reason to repeal the tax altogether. In fact, House Democrat Charles Rangel, as an alternative to repeal, has proposed to hike the amount that can be inherited tax-free to $4 million while lowering the maximum rate on any estate worth more than that. To be sure, the fact that a tax hits the wealthy is no reason to keep it if it serves no decent purpose. But the estate tax *does* serve a decent purpose: it plugs a gaping hole in the tax code that would otherwise let income escape taxation completely. A strange quirk in the law—the "Angel of Death Loophole"—cancels all capital-gains taxes on assets held until death. There is no economic rationale for the government to encourage people to hold on to their stocks until they die, and the estate tax helps reduce this distortion. The final misrepresentation of the anti-estate-tax crowd lies in the budgetary cost. The House bill phases in repeal very slowly to make it seem as if the government wouldn't lose much revenue. But in fact, when fully enacted, estate-tax repeal will cost $50 billion per year. It's not surprising that Republicans would give well-to-do heirs the highest moral claim to this money. But Democrats? *Liberal* Democrats? Among all our problems with the left wing of the Democratic Party, we had never thought to include excessive solicitousness for the affluent.

THIS GOOF IS YOUR GOOF: In Ronald Radosh's review of *American Dreamer: A Life of Henry A. Wallace*, by John C. Culver and John Hyde ("Progressively Worse," June 12), the folksinger serenading the Progressive Party children was not Pete Seeger but Woody Guthrie. We apologize for this unforgivable cultural blunder; but note that we owe the blunder to the troubadour's misidentification in the book itself.

POSTSCRIPT: With this issue, we bid a sad good-bye to executive editor Nurith C. Aizenman, who is leaving for *The Washington Post*. And we welcome our new executive editor, Christopher Orr, most recently of the *Post*. We also welcome to the ranks of our contributing editors Robert Kagan, a senior associate at the Carnegie Endowment for International Peace and a columnist for, of course, the *Post*. ■

VINT'S WEEK

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Lima Dispatch

Silent Majority

By Anthony Faiola

The euphoric crowds in Lima's picturesque Plaza San Martin seemed for all the world like guests invited to a party for the real dark horse in Peru's presidential elections: democracy. Believing President Alberto Fujimori had stolen the May 28 runoff, an agitated mob of 80,000 gathered in the restored colonial plaza named for the liberator who had freed Lima from Spain more than 170 years ago. There, protesters drank in the fiery words of the man who sees himself as Peru's current liberator: opposition leader Alejandro Toledo, who had backed out of the runoff, claiming conditions for a fair election did not exist.

From a balcony on the square, Toledo, a shoeshine boy risen from poverty to become an official at the World Bank, called for a massive campaign of civil disobedience. He invoked Martin Luther King Jr. and Mohandas Gandhi. The scene had all the intoxicating optimism of a Hollywood epic. After a decade in which Fujimori repeatedly trampled on the Peruvian constitution, the forces of good were finally bubbling to the surface. Toledo and his supporters were "taking the blinders off" Washington, which, after years of embracing Fujimori in return for his cooperation in the drug war, was now using Peru to draw a line in the sand, ensuring that banana republics would not return to Latin America—where several newfound democracies appear to be withering on the vine.

But there is a catch, and it threatens the very foundation of Toledo's ambitious campaign. Many Peruvians, it seems, simply don't rank democracy at the top of their wish lists. In a pre-election survey by a Santiago-based research firm, only 43 percent said they either supported or were satisfied with the democratic system. That's because, in a country where many earn less than $100 per month, a just judicial system, free and fair elections, and freedom of speech seem abstract. Far more tangible are Fujimori's handouts of new roads, new schools, and land, all provided within the confines of the most peaceful, stable country in South America's troubled Andean region. Just as Washington long tolerated Fujimori's authoritarianism because of the stability he brought, so, it seems, do many in Peru.

Toledo has unquestionably won the support of a numerically small but highly vocal swath of the population. In cities throughout Peru, there were violent pro-democracy protests when the polls closed on May 28. Demonstrators turned Huancayo, a central valley city surrounded by the emerald-colored lower Andes, into a battleground. But, as the tear gas cleared, the people fleeing police through the narrow colonial streets were radical university students, unionists, and others who cannot be described as part of the mainstream of Peruvian society.

To some extent, the face of mainstream Peru can be seen in the weary eyes of people like Jesus Maria Castro, a 48-year-old street vendor selling traditional corn cookies at a pro-Fujimori rally in Tarapoto, a vividly colored jungle city that serves as the gateway to Peru's Amazon valley. On a rainy afternoon a few days before the runoff, amid thousands of glassy-eyed faithfuls holding posters of "El Chino"—Fujimori's odd local nickname, which renders him, the son of Japanese immigrants, Chinese—hugging a llama, Castro explained why he was going to vote for Fujimori. "Look, I don't love Fujimori, not like them," he said, pointing to the crowd. "But I hear on the radio about the problems in [neighboring] Ecuador and I think, if we don't keep a strong leader like Fujimori, we're going to have the same thing here."

Indeed, to many Peruvians, Ecuador, where no strong, Fujimori-style leader has emerged, is a cautionary tale. Ecuador has had five presidents in five years; Fujimori has been a source of stability for the last decade. Ecuador had a brief military coup as recently as January; Fujimori has crushed two mighty guerrilla movements. Ecuador's poverty rate, which has climbed steadily over the past decade, today stands at almost 80 percent; Peru's is at 47 percent, compared with 52 percent when Fujimori took over ten years ago. What's more, Fujimori has delivered infrastructure like bridges and roads to towns near and far in Peru. "I understand my people," Fujimori explained to an accompanying U.S. journalist during a campaign trip to Peru's Altiplano plateau, near Lake Titicaca. "I understand what they want and need."

That understanding is reflected in Fujimori's genuine popular base. Though Toledo and other advocates of democracy claim it was election fraud that accounted for Fujimori's victory in the May runoff, he might still have won in a fair and open election. An independent poll by the respected Datum polling firm less than a week before the May 28 vote gave Fujimori 54 percent to Toledo's 46 percent. Even Toledo's strong showing in the April 9 first round, when he drew 40 percent in a nine-man race, forcing the runoff, was partially attributable to the fact that back then he spoke—like Fujimori—about jobs and roads. In the crucial weeks before the runoff, however, when Toledo put ending Fujimori's tyranny and reinstituting democracy at the top of his campaign platform, his support dropped off.

That's not to say Toledo isn't still popular, that his message of democracy isn't critically important, or that his mission to liberate Peru is doomed. Toledo, whose name was never taken off the ballot despite his call for a boycott of the runoff, still won about 16 percent of the vote. He asked citizens to abstain or to cast blank or null ballots, and almost half the Peruvian voters did one of the above. And, while not all of those people are counted as Toledo supporters—some stayed home out of apathy—Toledo can claim many of them as proof that his cause has staying power.

But Toledo has still not won the ultimate argument: that

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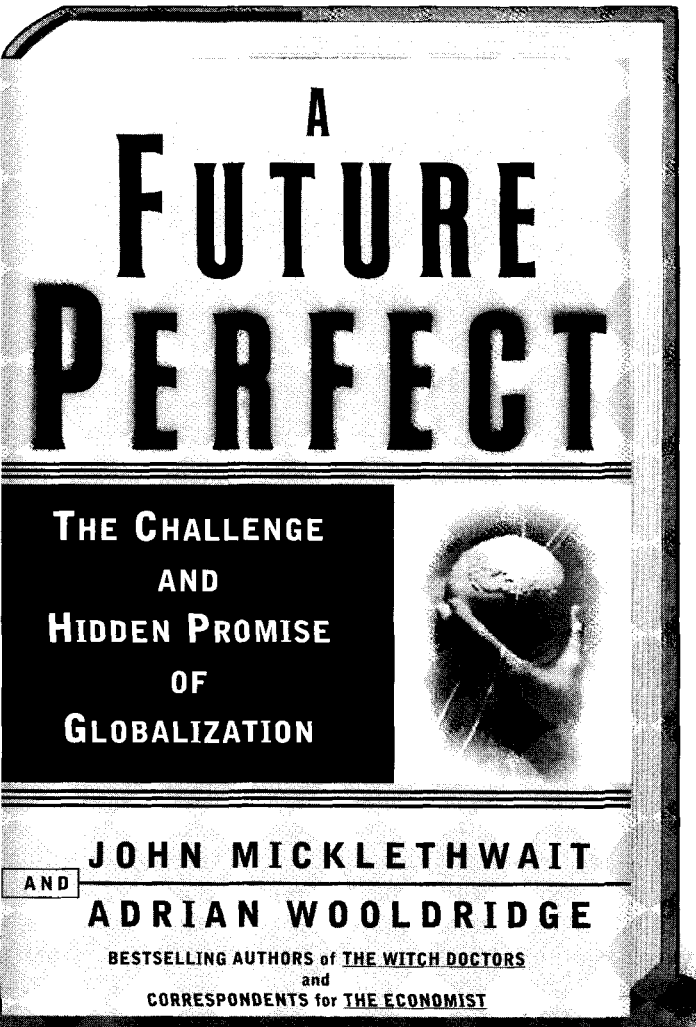

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he, and democracy itself, promise a brighter future than five more years of Fujimori would. Toledo had counted on international pressure to help him, and a high-level commission from the Organization of American States will be sent to Peru to pressure Fujimori for democratic change. But the extent of the commission's power and political will to seek new elections remains in question—which suggests that Toledo will have to bring most of that pressure himself.

To that end, he is traveling across Peru, going from universities to retirement homes in hopes of generating a crowd of 4,000,000 to march on Lima "from the four ancient corners of the Inca empire" on July 26. That would be just two days before Fujimori assumes his unprecedented third term—and Toledo's hope is that El Chino would step down in the face of such an overwhelming popular demand for democracy.

In the movies, that would certainly be the ending. But, despite its restored colonial beauty, downtown Lima isn't a movie set, and this is Latin America, not Hollywood. Indeed, last weekend, less than a week after 80,000 Toledo supporters gathered in Plaza San Martin, the protest crowds had already thinned. Of much greater interest was Peru's zero-to-one loss to Brazil in a massively watched soccer match. One might say that for now, at least, Peru has lost again: Fujimori 1, democracy 0. ■

Robert Casey, Democrat.

Life of the Party

By NAT HENTOFF

ROBERT CASEY, WHO died on May 30 at age 68, was a Democrat fiercely committed to his party's tradition of protecting society's most vulnerable. And, for that, his party made him a pariah.

As governor of Pennsylvania from 1987 to 1994, Casey created model school-based child-care programs that offered infants and preschoolers—including poor children—full-day services and before- and after-school programs. That way, teenage parents could stay in school and poor adults could go to work knowing their children were safe. He lobbied unsuccessfully for universal health care in his state, but, failing that, as *The New York Times* reported in its May 31 obituary, "he did sign a bill providing health insurance for children whose families were too poor to pay for it but whose incomes were too high to be eligible for public assistance." Before breast cancer became a political cliché, Casey invested $1 million in awareness and screening for the disease and required HMOs to pay for annual mammograms for women over 40. Harvard University pediatrician T. Berry Brazelton described Casey's multidimensional health care programs for women and children as "a model for the rest of the country."

The son of a coal-miner-turned-lawyer, Casey believed in the party of Franklin D. Roosevelt, and he doggedly rebuilt it in Pennsylvania. In 1991, he personally raised more than $1 million to help underdog Harris Wofford defeat Dick Thornburgh, then-President Bush's former attorney general, for a United States Senate seat. At the time, Paul Begala, who worked for Casey and later for President Clinton, told Mary McGrory of *The Washington Post*: "Save for Bob Casey, Harris Wofford would have lost. Casey rebuilt the party from ashes, and made it a better organization than the Republicans'."

Nonetheless, Casey's party treated him with disdain. As the 1992 Democratic Convention in New York approached, Casey told me he expected, in light of his policy accomplishments and political loyalty, to be a speaker, maybe even the keynote speaker. But he wasn't the keynote speaker. The honor of nominating Clinton went to New York Governor Mario Cuomo, who ignited the crowd by declaring, "Bill Clinton believes, as we all here do, in the first principle of our Democratic commitment: the politics of inclusion."

Casey was not asked to speak. In fact, he and his Pennsylvania delegation were exiled to the farthest reaches of Madison Square Garden—because Casey was pro-life. It didn't matter that, under his leadership, state contracts to minority- and women-owned firms had increased more than 1,500 percent in five years, or that he had appointed more female Cabinet members than any Democratic governor in the country, or that he had appointed the first black woman ever to sit on a state Supreme Court. Ron Brown, chief convention organizer and the Democratic Party's symbol of minority inclusion, told Casey, "Your views are out of line with those of most Americans."

Casey had the misfortune of being present during a great shift in the Democratic Party. A mere six years earlier, on September 26, 1986, then-Governor Bill Clinton of Arkansas had assured the head of his state's chapter of the National Right to Life Committee, "I am opposed to abortion and to government funding of abortion." But, by the early '90s, the Democrats, seeking the votes of upper-middle-class Republican women, were de-emphasizing economic protection and stressing cultural libertarianism. And, just to make sure everyone got the message, Democratic strategists invited Kathy Taylor, a pro-choice Pennsylvania Republican who had helped defeat Casey's progressive tax reforms, to the New York convention. She appeared onstage pledging the National Abortion Rights Action League's allegiance to the Clinton-Gore team. Then DNC officials sent Taylor, with a camera crew in tow, to find Casey in "Outer Mongolia," as he put it, to further humiliate him. Tipped off, he declined the national exposure. Shortly before Casey left the convention, Al Gore called him to apologize for any embarrassment. The governor told me dryly that he doubted Gore was speaking from the heart.

"What has become of the Democratic Party I once knew?" Casey asked when he returned home. But he didn't leave the party, even though, in his view, "it ha[d] become a wholly owned subsidiary of the National Abortion Rights Action League." The GOP would have been delighted to gather him in, but Casey said, "The pro-life Republicans drop the children at birth and do nothing for them after that." He added, in an interview with the *Pittsburgh Post-Gazette* not long

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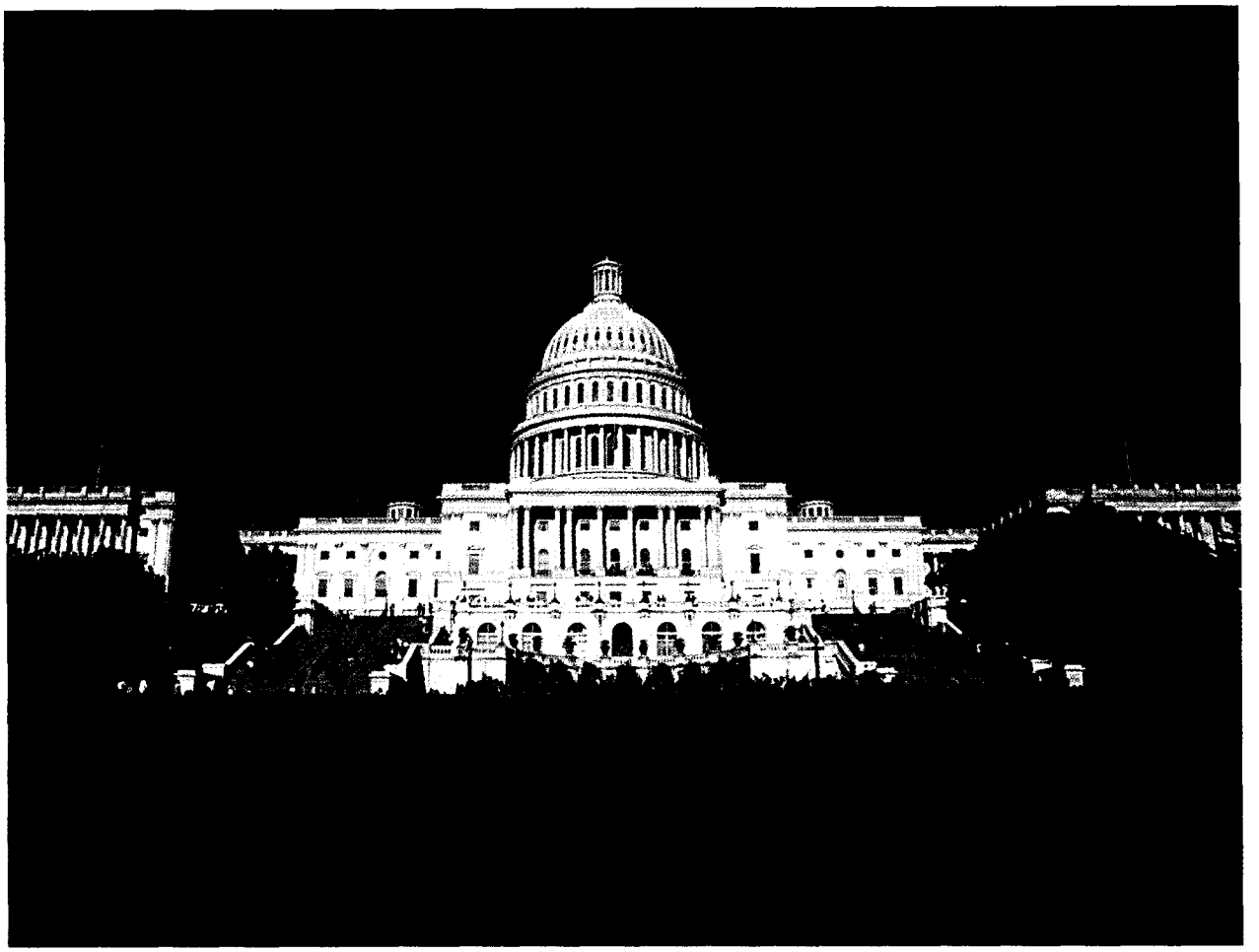

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before he left office in 1994, that "as far as the Republican Party is concerned, the business of government is business." Casey's politics were simple, but they were so heretical that in the language of '90s American politics they quite literally didn't have a name. And so last week, in a final slap, the *Washington Post*, *New York Times*, and CNN obituaries identified the former governor as a "conservative Democrat."

James Carville worked on Casey's 1986 and 1990 reelection campaigns. In a June 1 interview with *National Review Online*, Carville said of his former boss: "You have no idea what a deep sense of probity he had.... He was just the kind of person that made the whole Washington establishment completely uncomfortable.... They could never understand him." Carville also called his former partner, Begala, was also "a Casey protégé." I wonder how they felt, and what they did, while Casey was being humiliated in 1992. As Bob Casey was being driven from the Democratic Party because he refused to sacrifice his beliefs, they ascended further up the party ladder, going to work for a politician who didn't have such problems. And, when Casey died, President Clinton said he admired the governor's "commitment to principle." ■

Clinton versus the Internet.

End Game

By LAWRENCE LESSIG

PRESIDENT CLINTON TRAVELED to Berlin last week for a summit of Third Way leaders about, in part, innovation in the twenty-first century. Unfortunately, back in the United States, his administration has forgotten the most important lesson about innovation from the twentieth century. In approving AT&T's $58 billion acquisition of the cable company MediaOne—thereby making AT&T a leading provider of broadband Internet access—the administration has ratified a change in the basic architecture governing competition on the Internet, a change that may stifle one of the Internet's most important features: its incentive to innovate.

At the core of the design of the original Internet was a principle called the "end-to-end" argument. Devised by network architects Jerome Saltzer, David P. Reed, and David Clark, end-to-end counsels that networks should be simple—intelligence should lie in the applications, or "ends." This design principle has a consequence: It embeds a type of neutrality. Because the network is "simple," it is not in a position to discriminate against new applications or new content. So long as applications or content follow the basic Internet protocol, the Internet will run them—a fact that accounts for the tremendous innovation that we have seen in Internet-related technology.

The Internet was the first large-scale network to adopt this principle of design. Before it, telecommunications networks were designed so that the owner of the network could control how it was used. This was, for example, how the old telephone network was designed. AT&T got to decide what uses were made of it; new uses were permitted only if they conformed to AT&T's business model. Innovation was as AT&T thought best.

But, in an extraordinarily important act of regulation, the government freed telecommunications from AT&T's control when it broke up Ma Bell in 1984, in effect imposing upon telecommunications the same value served by the end-to-end principle: nondiscrimination. After the breakup, companies weren't permitted to discriminate against new or different uses. Innovation was to be as consumers thought best.

One such innovation was connecting to the Internet itself. When consumers discovered the Net, telephone companies had to give them the right to use their phone lines to get online. And, because nondiscrimination was the rule, Internet service providers (ISPs) could compete for customers by offering better and faster service. Consumers who didn't like their ISP could use their modems to dial a different ISP's number.

But, because of the Clinton administration's inaction, Internet access via cable lines—broadband Internet, which is faster and always on—will be different. Customers accessing the Internet through cable will have no guaranteed choice of ISPs. Instead, the cable company will pick the ISP. Rather than allow consumer choice among scores of providers offering broadband Internet service, the cable company will permit just a few ISPs of its own selection.

Why? Initially the cable companies said this protection against competition was technologically necessary. It would be impossible, they said, to build their network to allow open access to all ISPs. But, more than a year ago, the White House commissioned a study that concluded this limitation in consumer choice exists only because the cable companies are designing their systems in order to create it. The study found that it is perfectly possible to design cable networks so as to provide open access. But it warned that, unless the government took steps to induce them to do so, the cable companies wouldn't.

The White House has taken no such steps. Neither has the Federal Communications Commission. And now the Justice Department, too, has chosen not to intervene. All three are standing by as cable companies design the next generation of the Internet on the model of the old telephone system—in which the network owner, by dint of choosing the ISP, gets to control the kind of content and use the network will allow.

Consider just one example: Many innovators on the Net are developing technologies to stream video to computers. Cable companies, meanwhile, make their money streaming video to televisions. Under the emerging architecture of the Internet via cable, cable companies will have the power to decide whether their Internet users will be allowed to stream video to computers. Right now, users can't. And, when asked, AT&T's Daniel Somers indicated they won't be allowed to do so in the future, either. Said Somers, AT&T didn't spend $58

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billion on a cable system to "have the blood sucked out of our vein."

The issue isn't just video. It's every new idea innovators might have about how the network will be used. If with each new idea or new use innovators must negotiate with AT&T (or, soon, with AOL-Time Warner), then fewer will innovate—particularly in those arenas that might challenge the power of the existing network owners. The architecture will protect old uses, just as the old telephone architecture protected the old AT&T.

The Clinton administration isn't concerned about the effect on competition. If open access is valuable to consumers, the government believes, competition with providers of the other major broadband access method, DSL (digital subscriber line), will push cable companies to be open. After all, DSL providers, by law, must allow consumers to select the ISP of their choice. If consumers value that freedom, the government believes, they will pressure cable companies to be open as well.

Maybe. But consumers don't feel the effects of innovations that don't occur. That, at least, is what the Justice Department argued in the Microsoft case. And, whether or not one believes that the market will (for the first time in history) voluntarily settle on an open, end-to-end architecture, why shouldn't the government ensure it? Why shouldn't it defend the principle that no substantial portion of the Internet will deviate from end-to-end now rather than later, before "Microsoft II" rather than after?

Instead, the Clinton administration's do-nothing attitude encourages a compromise of this original design. This compromise will undermine the innovation the Internet produced. It will, in turn, stifle growth in the future.

As a result, the Clinton administration's legacy will be a compromised Internet. An administration that did nothing to create the original architecture of the Internet (but that has enjoyed the extraordinary prosperity that original architecture has produced) will now do nothing as that architecture is corrupted and the innovation of the original Net is threatened. This is Clinton's bridge to the twenty-first century, built upon a flawed twentieth-century design. ■

Enviros' bad math.

Sunny Side Up

By GREGG EASTERBROOK

ACCORDING TO BUDDING conventional wisdom, enforcement of environmental rules is way, way down. So say *The New York Times* ("EPA AND STATES FOUND TO BE LAX ON POLLUTION LAW"), NPR's public affairs show "Talk of the Nation," green organizations like the Environmental Working Group, and *The Washington Monthly*. "Who would have thought," the *Monthly*'s teaser asks, "that the Clinton administration would fail to enforce our environmental laws?"

The conventional wisdom is correct—enforcement is down. But for good reason: Pollution is declining. At the same time that enforcement numbers have fallen, virtually every U.S. environmental indicator has improved. Moreover, the assertion, now made by many environmental lobbies, that something is amiss unless ecological law is enforced exactly as written—leaving no room for negotiated compromise—has actually led to a new Supreme Court case that threatens to damage ... environmental enforcement.

Start with the scary-sounding enforcement statistics. Figures compiled by the Environmental Working Group show that in 1997 and 1998, of the 227 industrial facilities caught in "significant" violations of the Clean Air Act, only 36 percent were fined. Several states, among them Alaska, Idaho, and Washington, are far behind in their obligation to review environmental permits. "Over the past five years inspections, referrals for civil or criminal prosecution, and sanctions—including fines—have dropped in almost every state," writes Robert Worth in the November 1999 *Washington Monthly*.

All this seems ominous until you realize that, with the exception of greenhouse gases—about which there are no laws and hence nothing to enforce—American environmental indicators have been improving for years. In the past decade, for example, all pollutants regulated by the Clean Air Act have declined nationally. Airborne lead concentrations were down 56 percent during the '90s, sulfur dioxide (the main cause of acid rain) and carbon monoxide ("winter smog") emissions decreased 39 percent, soot emissions fell 25 percent, nitrogen dioxide (a smog factor) dropped 14 percent, and ground-level ozone fell four percent, even as the consumption of gasoline, the primary cause of urban ozone, has skyrocketed. U.S. water is cleaner as well; the proportion of lakes and rivers classified as "safe for fishing and swimming," about one-third in 1970, is up to about two-thirds. Toxic emissions declined 44 percent nationally in the last decade, even as domestic petrochemical manufacturing rose. Nearly every other trend is positive, too. Protected areas are increasing by millions of acres, land disposal of toxic substances has been banned, once-endangered species such as the bald eagle are being "delisted" because they no longer face extinction—and there are many other examples.

Which brings us to the question the enforcement alarmists don't ask: What's the goal, more arrests or less crime? If state troopers announce that speeding is down and that they are handing out fewer tickets, should we be upset about the latter or happy about the former? On "Talk of the Nation," one guest complained that a company that cleans up old toxic-waste sites under the Superfund program has seen its business drop "because of weaker implementation and enforcement of environmental laws." Is that really the reason? At its peak Superfund had 1,231 sites on its National Priority List. Today, cleanup has been completed at almost half those sites, and that means reduced business for cleanup contractors. So of course there's less enforcement—there's less to enforce!

Nevertheless, for some environmental lobbies the enforcement numbers are reason to be upset. Some are particularly chagrined that many regulatory agencies have shifted in the past decade from lawsuits and threats to "compliance assis-

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tance," in which regulators work with industry to help it obey rules. Enviros don't like compliance assistance because it is insufficiently punitive, and it cuts them out of the loop. Once there is litigation, environmental organizations can usually file to become parties to the suit; with the cooperative approach, regulators and industry negotiate informally, which leaves the enviros on the outside looking in. The Sierra Club and others have denounced Governor George W. Bush for adopting compliance assistance in Texas. They don't usually add that under Vice President Al Gore's direction, the Environmental Protection Agency has also shifted to compliance assistance as its base philosophy.

There's a reason: The new approach works better. After all, confrontational, litigation-based enforcement leads to years of foot-dragging and process costs, while the cooperative approach gives industry an incentive to come along voluntarily. EPA administrator Carol Browner, who is as diligent and devoted on environmental matters as can be imagined, has cut the number of EPA "cops" who stage hostile inspections—experience shows that industry digs in its heels when plant managers are treated as quasi-criminals—but increased the number of negotiators who work with business to help it understand environmental rules and follow them. Gore and the EPA used the cooperative approach in reaching the recent sweeping agreement with the sugar industry and the Army Corps of Engineers to restore much of the natural water flow to the Everglades. If they'd tried to do the same through litigation, Gore's heirs would still be fighting the Everglades lawsuit in the twenty-second century.

Shifting to compliance assistance does not mean always forsaking formal action. Browner's EPA recently asked the Justice Department to file one of the largest environmental-enforcement actions ever, a wide-ranging lawsuit against seven large electric-utility companies that the EPA believes have been exploiting loopholes in the Clean Air Act. In this case the cooperative approach didn't work: the EPA tried to win voluntary agreements, failed, and sued. Presumably, other industries will get the message that if they don't comply voluntarily, they will be hammered as well.

So, while relaxed regulation isn't generating the convictions and fines enviros crave, it is helping clean up the environment. And there's another, especially piquant problem with by-the-book enforcement: It can backfire in the courts. In May of last year, the D.C. Circuit Court of Appeals, whose rulings govern federal agencies, essentially overturned the portions of the Clean Air Act that concern reduction of soot. (At issue was the "delegation doctrine," a legal concept unrelated to environmental protection.) Once the D.C. court acted, on paper the nation no longer had rules for soot reduction; the country's power plants and industrial facilities could have switched off the expensive devices they use to control such pollutants. But they didn't. Just as the EPA has sometimes declined to insist on the letter of the law, industry has sometimes voluntarily continued to observe environmental strictures while they are under challenge. Such are the benefits of a negotiated, rather than adversarial, enforcement policy. By mutual understanding, anti-soot rules remain in use while the circuit court's finding goes to the Supreme Court for review.

Meanwhile, the American Trucking Association has convinced the Supreme Court to consider not just the delegation-doctrine aspects of the Clean Air Act but the larger question of how cost-benefit analysis is used in environmental regulation. For 30 years, the EPA has interpreted the Clean Air Act to mean that public health always trumps the cost of pollution control. But it's possible to read the legislation as saying that pollution reduction can stop once there exists "an adequate margin of safety," an ambiguous standard. If the Supreme Court adopts a cost-based view, future environmental enforcement may become much harder.

So, while environmentalists demand that the exact wording of laws be strictly enforced, opposing the cooperative approach that has helped make the U.S. environment cleaner, business has slyly adopted the exact-wording mantra too. The result may be a Supreme Court ruling that reduces progress against air pollution. It's the classic case of "Be careful what you wish for." ■

Microsoft's ticking clock.

Windows 2001

By Richard Wolffe

Joel Klein should be a happy man. Two years ago, as head of the Justice Department's antitrust division, he sued one of the world's most powerful companies in a case many legal experts predicted he could never win. Today he has successfully branded Microsoft a predatory, illegal monopolist. He stands on the verge of restructuring not only Microsoft but the entire software industry.

But, for Klein, overcoming Bill Gates and his fancy attorneys may have been the easy part. His new potential opponent in the Microsoft case looks even more formidable: Texas Governor George W. Bush. When Klein and his staff pack up their papers at the end of the Clinton administration as expected, the landmark case will be far from over, since the appeals process could drag on for years. And if W. wins in November, there's every sign he would appoint a Justice Department ideologically opposed to pursuing the case against Microsoft.

After all, candidate Bush has already said he opposes suing companies in general and breaking up Microsoft in particular. Speaking in February in Washington state, minutes from the company's sprawling campus, the governor said: "What I am worried about is if this company were to be broken up, this engine of change and this engine of growth. I am not sympathetic to lawsuits. Write that down. I worry about the effect of lawsuits on job creation. If you are looking for the kind of president I will be, I will be slow to litigate."

Richard Wolffe covers the Microsoft trial for the *Financial Times*.

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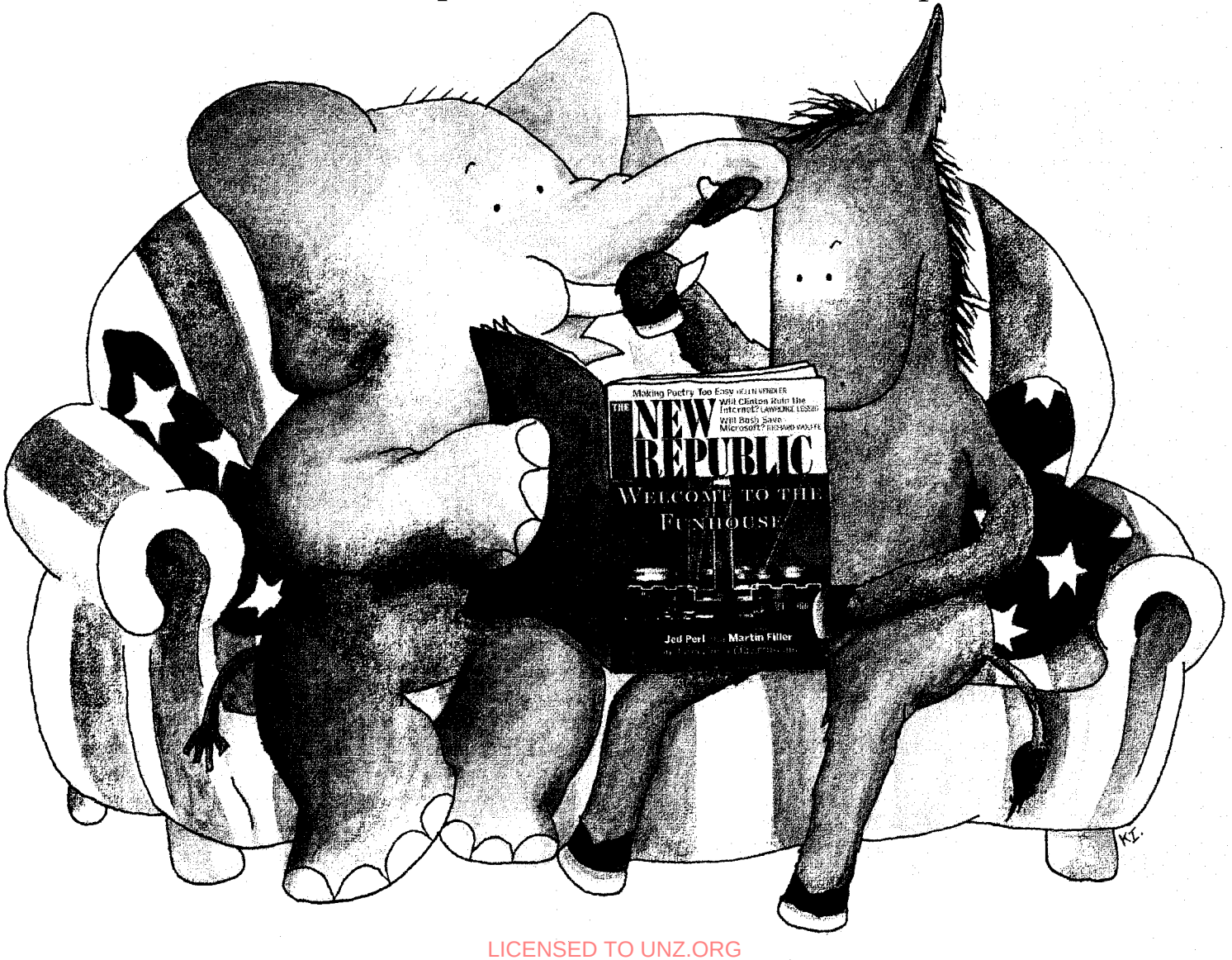

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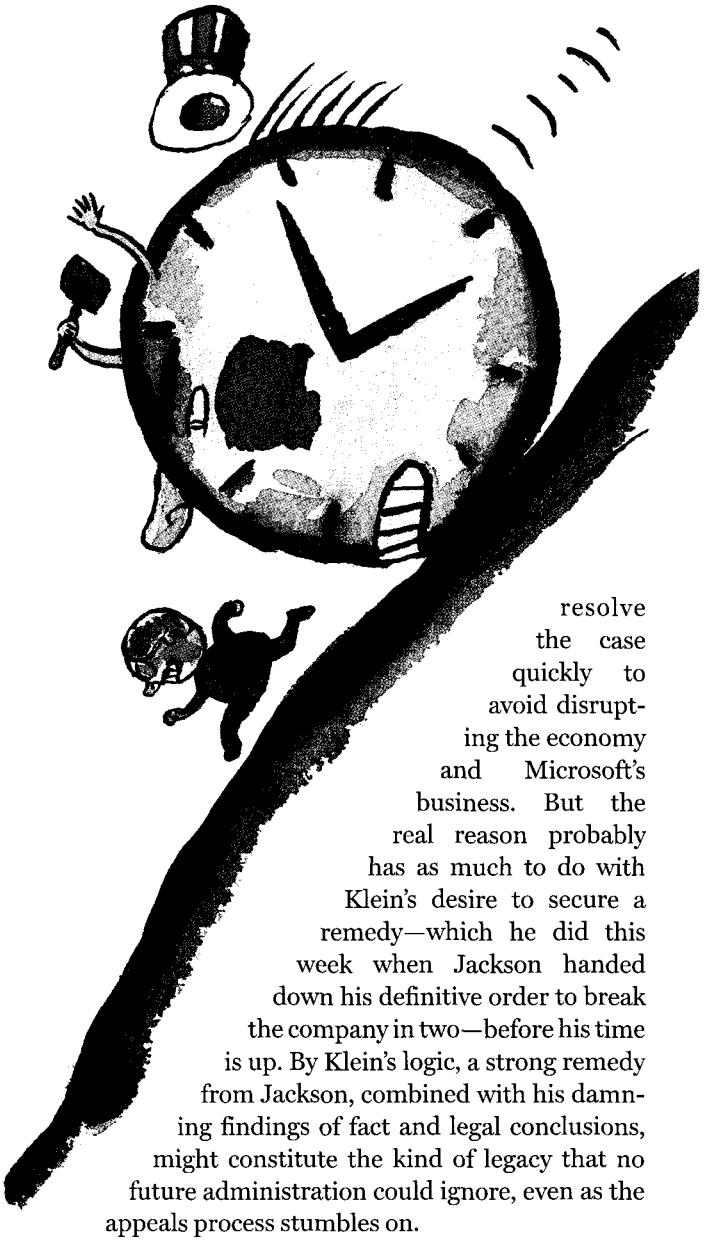
Two weeks earlier, in an interview with the *Financial Times*, Bush had gone even further in sketching his minimalist view of antitrust. Enforcement should be restricted to price-fixing, he said. When asked if there was a role for antitrust enforcers beyond that, he replied: "Well, no ... everything evolves into price-fixing over time." Actually, it doesn't. Price-fixing plays no real role in the Microsoft case. In fact, it hasn't figured in a high-profile, purely domestic antitrust suit since 1983, when American Airlines President Robert Crandall was taped offering to raise prices by 20 percent in collusion with then-rival Braniff International. That sort of hard evidence is rarely available, which is partly why most experts interpret antitrust much more broadly.

Since that interview, the Bush campaign has sought to clarify the governor's comments, insisting he did not mean to suggest that he would scale back antitrust enforcement as president. But the Bushies protest too much. Consider the man Bush has tapped as his adviser on competition policy, who could play a key role in shaping a Bush Justice Department's antitrust division: Timothy Muris, a law professor at George Mason University and former head of the competition bureau at the Federal Trade Commission in the Reagan administration. The FTC under Reagan was crammed with free marketeers who took a decidedly narrow view of antitrust. "One of the things we would say was that antitrust is a form of regulation," recalls one former administration official who worked with Muris. "It involves government intervention in the marketplace, and, in the course of that, you have to be aware of the cost of that intervention. Antitrust lawyers like to think of themselves as the antithesis of regulation and as essentially an integral part of free-market capitalism. To me, that is just foolish." In fact, while at the FTC, Muris turned antitrust law on its head, using it to attack government regulation like municipal control of taxicab prices. A current FTC official who knows Muris well describes his antitrust views as "way out there."

Klein seems well-aware of the threat Muris and Co. would pose to the Microsoft litigation. Accordingly, he's been trying to speed up the case ever since U.S. District Judge Thomas Penfield Jackson ruled last fall that Microsoft was a monopoly. For instance, last month the Justice Department gladly accepted only one day of court hearings on its complex request to split the company in two. Later, when Microsoft asked for a year to prepare a detailed plan for its own breakup, the feds insisted that the company do it in four months—which would mean submitting the plan just weeks before the November election.

In public, of course, the government says it wants to resolve the case quickly to avoid disrupting the economy and Microsoft's business. But the real reason probably has as much to do with Klein's desire to secure a remedy—which he did this week when Jackson handed down his definitive order to break the company in two—before his time is up. By Klein's logic, a strong remedy from Jackson, combined with his damning findings of fact and legal conclusions, might constitute the kind of legacy that no future administration could ignore, even as the appeals process stumbles on.



ROBERT NEUBECKER

But this is largely wishful thinking. As Klein and his deputies understand, there is no real way to ensure that this case—or any other—will survive a new administration. Consider what happened to the antitrust litigation inherited by Ronald Reagan, whose minimalist views bore a striking resemblance to Bush's. Yes, the Reaganites famously agreed to break up AT&T, a case that started under Gerald Ford. But, on the same day in 1982, they dropped the government's antitrust suit against IBM, 13 years after the Johnson Justice Department started trying to split up Big Blue.

Similarly, Bush could end Microsoft's legal woes as president. One option would be to drop the case completely, as Reagan did with IBM. A more likely scenario, though, given the damning rulings Klein has already secured, would be for Bush to negotiate a swift settlement by accepting minor restrictions on the software giant's business practices. (Microsoft already made such an offer in failed settlement talks earlier this year.) That would leave the company with the lesser task of overturning the judge's legal rulings that it acted as an illegal monopolist. Meanwhile, Microsoft would escape the threat of breakup and be free to return to business as usual.

This helps explain why Microsoft's attorneys have been so

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keen to linger in Jackson's court, even though they believe he has been prejudiced against them from the start. For instance, instead of one day of breakup hearings, Microsoft asked for more than six months to prepare for its day in court. The contradiction wasn't lost on the judge himself, who, in turning down the request, said, "I find it somewhat ironic that your client believes its travails will end at the Court of Appeals and yet wants to spend more time in this court."

Microsoft, naturally, denies that it's waiting for W. to come to its rescue—and there are some active Democrats in the company personally fighting to elect Al Gore. But, privately, senior executives admit that Bush's views on antitrust make him the more attractive candidate. When asked if the company's antitrust problems influenced his decision to support the governor, one executive smiled sheepishly and said, "Well, that helps." ■

Our guest-worker problem.

Temporary Help

By John B. Judis

CAMBRIDGE, MASSACHUSETTS

Americans spend a lot of time debating whether to let immigrants into the United States. They don't spend a lot of time debating how. And that's a problem, because while immigration supporters have been congratulating themselves for keeping America's doors open, they've barely noticed that the terms of entry are changing. More and more, immigrants are admitted not as potential citizens but as guest workers (a category Americans think only exists in Europe)—people allowed to work for a certain company for a certain amount of time and then told to go home.

Congress is currently considering three bills to dramatically increase the number of H-1Bs—skilled foreign workers on temporary visas in the United States. Such workers, though often well-paid, are bound to the businesses that brought them over. If they are fired or they quit, they can be immediately deported. Once their jobs end, so do their stays in the United States. They are not full Americans, and they never can be.

Since the terms of their visas encourage H-1Bs to be docile, many big companies like the arrangement. In *Workforce* magazine, a vice president of an engineering recruiting firm cheerfully called the H-1Bs a "new race of nomads." An editorial in the same publication praised (without irony) their "remarkable loyalty." Politicians on Capitol Hill, led by Republican Senator Spencer Abraham of Michigan and Republican Representative David Dreier of California, have sponsored legislation to increase the number of H-1Bs from 115,000 to 195,000 per year, and President Clinton and House Minority Leader Richard Gephardt support the increase. Until recently, the only opposition came from groups suspicious of immigration in general: the Institute of Electronics and Electrical Engineers (IEEE), the Programmer's Guild, the American Engineering Association, the AFL-CIO (for which H-1Bs are not a priority issue), and the nativist organization FAIR, which has run ugly ads against Abraham in Michigan impugning his Arab heritage.

But now someone is finally questioning the H-1B increase for the right reasons. On May 1, a group dubbed the Immigration Reform Coalition published an open letter in *Roll Call* calling on Congress to begin replacing H-1B visas with "conditional green cards" that would allow foreign workers to qualify for citizenship like other immigrants. The letter was organized by Paul Donnelly, who worked on the original Immigration Act of 1990 and on the late Barbara Jordan's Commission on Immigration Reform and who, as immigration consultant for the IEEE, has helped wean the organization from its outright opposition to immigration. The letter was signed by some of the superstars of the new economy, including Linus Torvalds, an H-1B himself and inventor of the Linux operating system; Esther Dyson, chairman of EDventure Holdings; and Steve Wozniak, cofounder of Apple Computer. It was immediately denounced by lobbyists who advocate increasing the H-1B-visa allotment, but they will not be able bury it so easily—in part because the arguments against it are so un-American that they are hard to publicly make.

H-1B visas date from the 1990 Immigration Act. The act, whose section on temporary workers was drafted by Connecticut Representative Bruce Morrison, set a limit of 65,000 new H-1B visas a year while increasing the number of green cards from 54,000 to 140,000. The idea was to encourage companies to sponsor potential citizens rather than guest workers. But Morrison's strategy failed. The Labor Department and the Immigration and Naturalization Service (INS), which were charged with issuing green cards, are two of the most inefficient agencies in government. Applications have been held up for as long as four years by software glitches, breakdowns in fingerprinting, and an onerous labor-certification process that requires employers sponsoring an immigrant to prove there are no American employees with similar skills living nearby. Says Morrison, who how heads the Federal Housing Finance Board, "The Department of Labor is in the business of getting in the way of labor certification."

As a result of this logjam, the Labor Department and the INS continually issue fewer green cards than Congress authorizes—54,000 fewer in 1998 and 78,000 fewer in 1999. So, when the demand for skilled workers rose sharply in the mid-'90s, employers turned increasingly to H-1B workers. In 1998, Congress, under pressure from business, raised the cap from 65,000 to 115,000. This year, companies reached their H-1B hiring limit by March and began to clamor for another raise in the cap.

Some who oppose a higher cap argue that there really isn't a labor shortage at all and that companies are simply using H-1Bs to replace aging (that is, middle-aged) and more expensive American-born programmers. Norman Matloff, a

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professor of computer science at the University of California, Davis, has authored a long paper, "Debunking the Myth of a Desperate Software Labor Shortage," in which he charges that industry is motivated not by a shortage of workers but by a desire for "cheap labor and 'indentured servitude.'" But Matloff's arguments are not convincing. The Information Technology Association of America estimates that more than 800,000 high-tech jobs will "likely go unfilled" because of the shortage of computer professionals. And, even if one doubts that the real figure is that high, it's certainly true that the number of computer-related jobs has been skyrocketing—the Bureau of Labor Statistics projects a 109 percent increase in demand for computer engineers between 1996 and 2006—while the number of engineering graduates at American universities has been declining.

What's important about the open letter in *Roll Call* is that its authors (unlike Matloff and most past H-1B critics) acknowledge there is a genuine need for foreign high-tech workers—they just seek to meet it without violating American traditions of citizenship. The letter represents a change of position for the IEEE, which had opposed any increase in high-tech immigration. Indeed, Matloff has attacked Donnelly for convincing the IEEE to back a "proposal under which industry could bring in foreign engineers and programmers on an expedited basis." Conversely, the Cato Institute and the National Immigration Forum have accused Donnelly and IEEE of remaining as anti-immigrant as ever—and simply using citizenship as a smoke screen to stop an increase in H-1Bs.

IN RESPONSE, DONNELLY organized a May 30 meeting at the Marriott Hotel across from the Massachusetts Institute of Technology. It included Morrison, Dyson, several successful cyber entrepreneurs, Ira Rubenstein of Microsoft, a representative from the IEEE, and two lawyers belonging to the pro-H-1B American Immigration Lawyers Association (AILA), whose members have gotten rich arranging temporary visas. The idea was to see whether the two sides could reach a common position. At first, any agreement seemed unlikely. When Donnelly and Dyson characterized the H-1B immigrants as "indentured workers," the AILA lawyers objected. Said Russell Swapp of Boston's Palmer & Dodge, "It is not an indentured workforce at all. These people are making comparable wages."

But the exchange between the open-letter signatories and Microsoft's Rubenstein proved more fruitful. Rubenstein, participating via speakerphone, took exception to what he called the "either/or" character of the letter, which seemed to advocate replacing all H-1B visas with green cards. That position, he argued, was "not feasible technically or politically," because Congress was unwilling to do more than simply increase the number of H-1B visas and because some workers didn't want green cards anyway. Morrison agreed that the green-card proponents needed to adopt a "both/and" rather than an "either/or" approach. That removed one major area of disagreement.

Donnelly tried to pressure Rubenstein to agree in principle that the government should offer green cards to those H-1Bs who wanted them. Rubenstein initially refused to take a position. "Paul, you are politicking me," he said. "The question is what is feasible, either technically or politically." But when Morrison, Dyson, and author-entrepreneur Simson Garfinkel pressed him, Rubenstein finally said, "I am pro-green card... but you take victories you get on an incremental basis. If the business coalition is successful in increasing H-1B, I would immediately advocate fixing the program." Then he added, "The way forward would be to flesh out what this alternative green-card proposal is. Congress doesn't look well upon radical changes unless one fleshes out the proposal and looks at the complexity." Even the AILA lawyers had to agree. Swapp said that a bill allowing H-1B workers to become permanent residents would be "an outstanding proposal."

There is little chance anything like that will happen this year. Congress and the business lobby are single-mindedly bent on raising the cap on H-1Bs. But the meeting here showed that if the issue is reframed—around not whether to admit high-tech workers but on what terms to admit them—people must eventually concede that green cards are better than H-1B visas. If Donnelly, a pro-immigration IEEE, and the high-tech liberals can construct such a proposal, it will offer a powerful alternative to both the nativists and the businesses looking for docile nomads. And it will help immigration supporters rediscover the moral basis for their position: that America is enhanced not simply by importing efficient labor but by importing Americans. ■

Is Berkeley too cheap?

Need Blind

By BRUCE GOTTLIEB

THE LATEST ISSUE of the University of California, Berkeley alumni magazine features a gushing profile of Antonio Villaraigosa—"a page out of the American myth." Villaraigosa grew up in the barrio. He couldn't even afford the SAT, taking it only after a generous high school teacher paid his registration fee. He ended up at UCLA and, two decades later, is speaker of the California legislature.

He ended up at UCLA? The editors of the Berkeley alumni mag are willing to overlook this youthful indiscretion. Villaraigosa, after all, has more than redeemed himself—as speaker, he successfully pushed an enormous educational bond issue to benefit California schools such as Berkeley.

Villaraigosa's devotion to public universities stems from his belief that the University of California schools turned his life around. After all, his mother worked as a secretary; his father, a Mexican immigrant, abandoned the family when his son was five. Villaraigosa was an indifferent high school student—surely no candidate for a scholarship to Princeton or Yale. In short, he is precisely the reason California massively subsidizes universities like UCLA and Berkeley. How much

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are they subsidized? In-state tuition and fees at Berkeley this year are $3,628. Out-of-state tuition is $13,802. Since out-of-state tuition, by law, must equal the actual cost of providing a Berkeley education, this means every California resident attending Berkeley receives a $10,174 subsidy—courtesy of the state's taxpayers. UCLA students get a subsidy of $9,804.

Villaraigosa's life is powerful evidence that schools like UCLA and Berkeley serve a crucial purpose. Indeed, even if Villaraigosa's UCLA degree had enabled him to become only a mid-level politician or even just an ordinary member of the tax-paying middle class, he'd still be an inspiring argument for funding public universities. Investing $10,000 per year for four or five years to propel someone from the barrio to the tax-paying middle classes is a deal the state of California can't afford to pass up.

But it's an enormous mistake to assume Villaraigosa's story is typical. In fact, most students at elite public universities come from privileged backgrounds. And there's no reason California taxpayers should hand $40,000 or $50,000 plums to students whose families could buy them a top-notch education on their own. The fact that some UCLA and Berkeley students deserve a subsidized education is not an argument for giving it to anyone who walks through the campus gates.

How wealthy are students at California's elite public universities? Over 30 percent of last year's freshmen at the state's eight UC campuses (Berkeley, Davis, Irvine, Los Angeles, Riverside, San Diego, Santa Barbara, and Santa Cruz) hailed from families earning more than $90,000 per year. And students at Berkeley were even wealthier. The family of the average Berkeley freshman made $81,444 per year, and nearly one-third of Berkeley freshmen came from families earning more than $100,000 per year. By contrast, the average California family—which is paying for these students' $40,000 to $50,000 subsidies—makes just $40,934 per year.

IT'S NOT SURPRISING that students at Berkeley are wealthier than most Californians: that's part of the reason they get in. Admissions committees at schools like Berkeley and UCLA place a premium on good grades from good (i.e., suburban or private) high schools. They also prefer students with high SAT scores—and expensive SAT prep courses help a lot. But wealth helps in less obvious ways too. Students from wealthy communities know that admissions committees look fondly upon volunteer experience at homeless shelters or hospitals. This work, of course, is typically unpaid. A summer spent earning pocket money at the local TCBY is far less likely to provide the "hook"—as college guidance counselors call it—that helps an admissions officer choose between two otherwise similar applicants.

Students without the credentials for admission into UC schools end up in the so-called diploma mills of the California State University system (e.g., Cal State Fullerton) or the state's extensive network of junior colleges. Cal State schools get a much smaller percentage of state government largesse, even though they serve students who generally come from less privileged backgrounds. Junior-college students, whose families tend to be poorer still, get even less.

So, as the system is currently constructed, the biggest state subsidies go the UC schools. The UC schools, in turn, serve the wealthiest students. The smallest subsidies go to the state schools and junior colleges, which serve poorer students. A college financial-aid office set up on this principle would be deemed an outrage.

And the system isn't bad just for poor kids, who get less money because the rich get windfalls. It's also bad for California. After all, the point of state universities is to make sure promising students realize their potential. This, the logic goes, is good for California's tax base and for California firms, which need well-educated employees. In other words, everyone wins, so long as most of the money goes to financing education for smart people who couldn't otherwise afford it. But, when the money isn't going to the right kids, the state is getting less bang for its buck.

CAN THE SYSTEM be fixed without damaging meritocratic ideals? The answer is yes. The simplest way would be to means-test tuition. Right now, any California resident who enrolls at a UC school gets the subsidy. Instead, universities could identify wealthy students and charge them full-cost, out-of-state tuition. In fact, universities could do this tomorrow, since they already have sophisticated financial-aid offices that determine an applicant's ability to pay.

The increased revenue from means-testing would be enormous and, if well-spent, could make schools like Berkeley more accessible to the poor. Suppose the 30 percent of the Berkeley class whose parents earn more than $100,000 per year were required to pay the true cost of their education. That's an extra $10,000 of revenue per student from nearly one-third of the class. Since California residents pay less than $4,000 per year in tuition right now, the increased revenue from the wealthy kids could reduce Berkeley's tuition to zero for the remaining 70 percent of the class. Or Berkeley could keep tuition at current levels for the 70 percent and increase its student population over time by 30 percent. Or, better still, the legislature could take the increased tuition from rich kids at Berkeley and send the money down the line to the Cal State schools and the junior colleges, which serve most of the state's college students and the great majority of its disadvantaged ones. Any of these plans would do more than the current system to help underprivileged students like Villaraigosa, who are the real reason for maintaining public universities in the first place. And it's not as if anyone would be robbing the rich—wealthy families would just be asked to pay the full cost of their kids' education.

To be sure, means-testing tuition at Berkeley and UCLA might push a few wealthy students to private schools like Amherst and Yale. This would be no tragedy in the short run, since it would free up subsidized spots for genuinely needy students. Still, over time, might wealthy taxpayers balk at paying for state universities that their children didn't attend? If Berkeley and UCLA lost the political support that underlies their state funding, then everyone—including poor and middle-class kids—would lose.

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A similar argument is often made against means-testing another large social program based on universalist principles: Social Security. It may or may not be convincing in that context, but it's not convincing in this one. For one thing, Californians get a lot more from UC schools than just a cheap education for their kids. The University of California at San Francisco and UCLA provide California's two largest cities with world-class medical centers. UC schools put forth important research, which brings corporations to the state. The schools produce winning football teams. And so forth. Californians of all classes would suffer if the state's public university system fell apart.

Moreover, many wealthy students would probably continue to attend UC schools even if tuition were means-tested. After all, even full-cost, out-of-state tuition at UC schools is still about half the cost of tuition at private colleges, which is one of the reasons Berkeley is so attractive to out-of-state students now. So it's not as if wealthy taxpayers would feel they were getting nothing at all from Berkeley. And it is especially implausible that business interests—whose political influence must at least equal that of wealthy private citizens—would want to reduce funding to state schools. After all, state universities, even with means-testing, would remain a crucial source of marketable ideas and employable workers.

It's easy to see why private universities like Harvard and Yale cannot risk alienating wealthy families—these schools depend upon such families to fund their endowments. But public universities are different—their existence depends on convincing people they serve the public good. By eliminating the current $40,000 to $50,000 perk for wealthy families, they could serve it better. And produce more Antonio Villaraigosas. ■

Martin Feldstein goes voodoo.

Dr. Feelgood

By JONATHAN COHN

THERE'S A FAMOUS bit of advice for freelance writers: Write the same article (or variations thereof) for three different publications. Martin Feldstein, the Harvard University economist who advises Texas Governor George W. Bush, has done that adage one better. He's published essentially the same article three times—in the same publication.

Last month, Feldstein wrote an op-ed for *The New York Times* defending Bush's plan to reform Social Security. The gist of the article, titled "Bush's Low-Risk Pension Reforms," was that converting a portion of Social Security funds into private investment accounts would save the program from insolvency and make the economy stronger, all the while shielding retirees from the risk of poverty. In theory, the *Times* frowns on publishing articles by outside authors interested in rehashing their own well-known views. In practice, the paper makes an exception for Feldstein. Last March, he invoked the same argument about privatization in a *Times* piece called "Common Ground on Social Security." That piece, in turn, bore a striking resemblance to a July 1998 op-ed he wrote called "How to Save Social Security." And all three missives echoed other op-ed-length articles, numbering more than a dozen, that Feldstein has written for *The Boston Globe*, *The Wall Street Journal*, *The Economist* (which rarely publishes signed pieces, but did in this case), and, yes, THE NEW REPUBLIC.

Give Feldstein credit—he is persistent. Read pro-privatization literature and you'll almost always find his fingerprints on the footnotes, if not on the text itself. Feldstein's relentless promotion of Social Security privatization has helped move the idea from the libertarian fringe to the sensible center, where it is even embraced by prominent moderate Democrats. Should Bush get a chance to reform Social Security as president, Feldstein will be active behind the scenes crafting the formal initiative—and then will publicly vouch for its virtue. That's what he did in Austin, Texas, this spring, when Bush agreed to a Feldsteinesque reform agenda. And it's what he did last year, when Senator Phil Gramm and Representative Bill Archer introduced legislation modeled on what came to be known as the "Feldstein Plan."

Of course, there are many proponents of transforming Social Security into a system of private retirement accounts—from Wall Street investment firms to the think-tank experts they help subsidize. But Feldstein lends privatization the one thing these advocates cannot: respectability. When scholars from the Cato Institute or the Heritage Foundation argue for privatization, their motives are always suspect—after all, pushing free-market "reforms" is their job. By contrast, skeptical people (like the editors of *The New York Times*' op-ed page) listen to Feldstein because he is a highly regarded professor in one of the nation's most prestigious economics departments. Which is to say he would never stoop to intellectual gimmickry to advance a political agenda.

Or would he? Fellow economists say that Feldstein, for all his brilliance, has been politically expedient to the point of intellectual dishonesty in his promotion of privatization. They say he has used unrealistic but advantageous assumptions in his research; that he has passed off political prognostication as economic truth; and, most important, that he misrepresents his findings when he cites them in public

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forums like the *Times*. "He is extremely bright, absolutely first-rate," says one widely respected economist, voicing a common sentiment. "And I don't trust him at all."

WHEN FELDSTEIN IS in Cambridge, he spends most of his time not at the Harvard economics department, where he was awarded tenure at the preposterously young age of 28, but at the nearby headquarters of the National Bureau of Economic Research, the prestigious independent center he has directed for the better part of 20 years. On the wall of his otherwise nondescript office, Feldstein has posted 14 slightly faded editorial cartoons depicting the most famous episode in his life: his tumultuous tenure as chairman of the Council of Economic Advisers under President Reagan.

When appointed to the post in 1982, Feldstein seemed a natural choice. A true intellectual pioneer, he had done much of the empirical work underlying supply-side economics, the theory—of which Reagan was a strong proponent—that taxes are the single most important factor determining economic growth. Still, Feldstein didn't see things as simplistically as the administration's supply-side purists, who insisted their tax cuts would pay for themselves by boosting the economy. Nor was he shy about attacking their rosy scenarios. It was "most unfortunate," he told the Senate during his confirmation hearing, "when the label 'supply-side economics' was attached to some extreme rhetoric about self-financing tax cuts."

A deficit hawk and a proponent of spending cuts, Feldstein was frustrated to find his administration colleagues far more eager to cut taxes than to cut popular programs or question Reagan's expensive military buildup. When Feldstein stuck to his guns—making worrisome economic projections based on rising deficits and agitating for small tax increases to balance the budget—powerful opponents in the administration dubbed him "Dr. Gloom." At one point, Treasury Secretary Donald Regan got so angry about Feldstein's pessimistic predictions that he urged reporters to just "throw out" the council's annual report.

It was around this time that Feldstein first confronted the delicate politics of Social Security—with similar results. In the early '80s, Social Security faced a short-term fiscal crisis, largely because Reagan's predecessors had signed off on generous benefit hikes without coming up with corresponding tax increases. Typically, Feldstein was blunt about the solution: He argued for a large benefit cut. And, typically, the administration balked. Reagan passed the buck to a bipartisan commission, which suggested modest reforms (later enacted) that temporarily put off Social Security's day of reckoning.

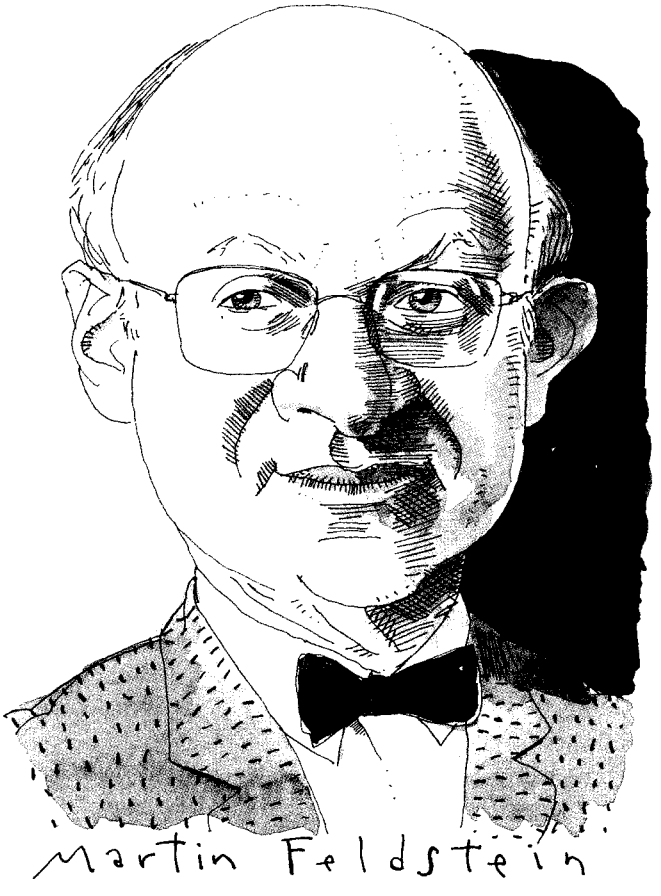
It was this unusual pattern of public disagreement between the administration and its chief economist that generated the editorial artwork now adorning Feldstein's wall. In one cartoon, Reagan appears as a boxer, with Feldstein and Regan squabbling over who his "trainer" is. Another depicts Feldstein on horseback, shouting, "The deficits are coming!" Feldstein finally left Washington in 1984, his political career tarnished but his intellectual reputation stronger than ever.

"In the 38 years since the Council of Economic Advisers was created, it has never had a chairman like Martin Feldstein," *The New York Times* editorialized upon his departure. "Of his dozen predecessors, some may have been brighter, or better at Washington politics, but none were more willing to stand up and speak out. He's served the country well."

Feldstein, now 60, doesn't look much different than he did in the '80s. With his five-foot-nine frame, soft features, and large round glasses, he resembles a friendly owl. But as he sits in his office, patiently and congenially explaining his latest thinking about Social Security, it becomes clear that Feldstein has in fact changed a great deal. Gone is his appetite for such painful prescriptions as tax hikes or benefit cuts. It's been replaced by faith in a silver bullet—partial privatization—that can end the solvency crisis without any pain at all. The man who made his reputation speaking inconvenient truths to power has become a political Pollyanna.

Social Security's impending solvency problem is fairly straightforward. Money comes in as payroll taxes, then goes out as benefits to current retirees. At the moment, because the huge baby-boom generation is in the prime of its working years, the system takes in more money than it pays out. So it's building up a surplus, which is stored in the Social Security trust fund and invested in ultrasafe government bonds. But, once the baby-boomers start retiring, Social Security will have to start cashing in those bonds and using the money to pay benefits until, eventually, the trust fund is empty. At that point—the year 2037, according to the latest and most reliable estimates—Social Security will no longer have enough money to pay out the full benefits promised by law.

The most obvious solution to today's solvency crisis



JOE CIARDIELLO

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includes a mix of benefit cuts and tax increases similar to the ones that became law 20 years ago. Privatizers, on the other hand, suggest letting people move some of the payroll tax money now earmarked for the trust fund into individual accounts invested in the stock market. Right-wing economists have talked about this for at least 25 years, but until recently their argument was overtly ideological: would-be privatizers complained about Social Security's forced redistribution of income (from wealthy beneficiaries to poor ones) and government's commandeering of personal savings. But in the last few years, as public attention has focused on Social Security's coming financial crisis, privatizers have hit upon an ingenious way to repackage their idea: not as the instrument of Social Security's demise but as its savior.

The logic behind this switch hinges on the fact that the trust fund, by law, invests its temporary surplus in government bonds that, like all ultrasafe investments, pay relatively small dividends. The stock market, which is riskier, tends to pay out a lot more. Privatization advocates argue that the increased returns from investing in stocks could keep the system solvent indefinitely, without higher taxes or lower benefits. From his perch at the National Bureau of Economic Research, Feldstein has written much of the authoritative research purporting to show this. In fact, Feldstein has crafted a specific privatization proposal according to which, he says, everybody would come out ahead.

UNDER THE FELDSTEIN PLAN, the government would take about one-sixth of your annual payroll tax and deposit it in a mutual fund of your choosing. When you retired, you would convert your account into an annuity, which would pay you a fixed benefit for the rest of your life. The government would then reduce your monthly Social Security check by three-fourths of the annuity payment. (Feldstein cites this example: If you are entitled to a $1,300 Social Security benefit and your annuity gave you $800 per month, you'd get that $800 from the annuity, plus $700 of your Social Security benefit, leaving you with $1,500 total.) Finally, the government would offer you a guarantee: If the combined value of your annuity and your reduced Social Security benefit turned out to be less than what you were entitled to under current law, and if you abided by the government's recommended investment balance, the government would write you a check for the difference.

Although sufficiently complex to make even Ira Magaziner blush, Feldstein's plan has one obvious allure: It requires no sacrifice by anyone. Most privatization advocates quietly admit that their schemes carry additional costs and risks: they usually require a large tax hike to pay benefits to retirees in the early going; and, because stocks are inherently riskier than government bonds, some beneficiaries are bound to end up with less money than they would have otherwise. But Feldstein says he's figured out a way to avoid these trade-offs. He claims his plan would keep the program solvent without tax hikes, benefit cuts, or—thanks to his money-back guarantee—significant increase in risk. Not coincidentally, Bush makes similar claims about his (noticeably Feldsteinesque) reform agenda.

But there's a problem: The Feldstein Plan is riddled with optimistic assumptions that make some of those rosy Reagan-era scenarios look downright dour. And, while Feldstein notes his assumptions in his academic writing, these caveats mysteriously vanish when he writes for the popular press.

Consider how Feldstein calculates the cost of running his plan. When you put money into a mutual fund, some of that money goes to the fund manager as a fee. Well, those fees add up. For his calculations, Feldstein assumes that for every account, these fees will claim 0.4 percent—or, to use the economics lingo, 40 basis points—of the total value each year. Yet other serious scholars who have looked at this issue has found that, on average, fees run much higher. The most impartial and independent analysts, such as the Social Security chief actuary and the Advisory Council on Social Security, say the proper figure is around 100 basis points. This makes a huge difference. Under Feldstein's assumption, administrative costs would constitute about eight percent of each account's total value at retirement; by the more common estimate, they would eat up 20 percent.

A SECOND FLAWED assumption is Feldstein's treatment of the transition costs required for privatization. If you divert some of the current payroll tax into individual accounts, it isn't there to pay benefits to current retirees. That's why most privatization plans call for a temporary tax hike or benefit cut to cover the cost of the program until the accounts have had time to mature, generally thought to be sometime after 2030. Feldstein claims to sidestep this problem by tapping the coming budget surpluses. The surpluses, he contends in his popular writings, are large enough to cover the transition cost. As evidence, he cites research he did with a Dartmouth College economist named Andrew Samwick.

But, if you look at his research with Samwick, you see that here, too, Feldstein relies on some convenient premises. First, as a critique from the liberal Center on Budget and Policy Priorities notes, Feldstein and Samwick assume the government will pump extra money into the trust fund between 2015 and 2030. Where would the government get that extra money, given that Feldstein denies the need for tax increases or benefit cuts? He says his privatization plan would dramatically boost the economy—and thus pump more payroll taxes into Social Security—to help offset the costs. But Feldstein's projections of an economic takeoff are, to put it charitably, highly controversial. And even if they are right, Feldstein acknowledges, the government might *still* have to borrow money to finance the transition.

The heroic assumptions don't stop there. Remember, Feldstein is offering retirees a money-back guarantee to cover bad investments, and he proposes reducing government benefits by only $3 for every $4 generated by the private accounts. There's reason to believe Feldstein has underestimated the cost of both of these features. Indeed, when the (GOP-appointed) Congressional Budget Office analyzed the Feldstein Plan and substituted what it believed were more realistic assumptions, it concluded that, far from fixing the solvency problem, "the Feldstein proposal would increase future budgetary pressures." The Social Security Administra-

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tion's chief actuary's office agreed, offering the devastating conclusion that Feldstein's plan would not only soak up all $3.4 trillion in projected budget surpluses over the next 25 years but would actually run up further debt in the trillions of dollars.

FELDSTEIN'S REJOINDER TO criticisms like these is telling, for it demonstrates how he leverages his currency as a respected economist to buy credibility for what are, in fact, personal ideological beliefs. He says the conclusions of the CBO and the chief actuary are invalid because they mistakenly compare his plan to the figures that will be generated if the government reserves future budget surpluses to pay for Social Security, as required by current law. This is the wrong comparison, Feldstein insists, because the government won't be able to resist tapping those coming budget surpluses for new spending. But that's a political judgment, not an economic one—whether or not Congress can resist spending the surplus is not a topic on which Feldstein has any particular expertise. Yet, by folding it into his projections, he cloaks his view in the mantle of impartial academic analysis.

The merit of his own plan, Feldstein argues, is that Congress *must* spend the surplus on Social Security because it will already have given it to citizens in the form of private investment accounts. But, even if you buy that, it's a strange assumption for Feldstein to make, since Bush's tax-cut plan, which Feldstein has not only defended but helped craft, reserves some of the same money for tax cuts. In other words, Feldstein, a key player in forming two of W.'s key economic proposals, simultaneously defends both with arguments that contradict each other. As another top economist laments, "I think it's sad that Marty, after all these years of good service, is willing to bend the truth to serve Republican presidential aspirants."

Feldstein passes off political judgments as academic ones in other ways as well. Even if you believe in using the stock market's higher returns to help keep Social Security solvent, individual accounts aren't the only way to do it. You could also have the government invest some of the trust fund in stocks directly, as the Brookings Institution's Henry Aaron and the Massachusetts Institute of Technology's Peter Diamond have advocated. From a strictly economic standpoint, government investment of the trust-fund surplus would accomplish Feldstein's purported goal—capturing the high returns of the stock market—but would avoid his plan's expensive drawbacks, such as the managers' fees and the transition cost.

Yet Feldstein wants nothing to do with such an idea. Why? Because, he says, if government owned stock through the trust fund, it couldn't resist meddling in corporate affairs. But how does he know? What's more, he adds, such a proposal would never gain enough support to become law. This claim is particularly galling, because it's largely self-fulfilling: One reason it's so hard to talk about government investment of the trust fund is that "experts" like Feldstein keep declaring the idea dead in the water.

This isn't to say Feldstein has no right to make pronouncements about politics—merely that he can't have it both ways. When Feldstein presents himself as a serious academic economist, observers have the right to expect that his economic pronouncements are informed by academic principles—i.e., that he doesn't bias the data with his political beliefs. If, on the other hand, his basic commitment is not to academic inquiry but to Republican ideology, which he seeks to present as intelligently and convincingly as possible, he shouldn't be at Harvard. He should be in Washington, at one of a number of conservative think tanks whose practitioners can only dream of publishing three op-eds in *The New York Times* in three years. For the Bush campaign, of course, Feldstein's ability to have it both ways is precisely his value. For the Social Security debate in which he figures so prominently, the effects are not quite so benign. ■

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Stanley Kauffmann on Films

Returns and Departures

BLESS THE HRWIFF—for its discomforts and its comforts. Here is the eleventh annual Human Rights Watch International Film Festival, with thirty films from twelve countries, films that, as always, alert us to violations of human decencies around the world but also, though this is not the primary purpose, alert us to the quality of film-making in far places. Also in some near places, outside the mainstream.

I have so far seen four of the pictures in this year's bill. **A Civilized People**, made by Randa Chahal Sabbag, is this year's winner of the festival's Nestor Almendros Award. It is a fictional film about the Lebanese civil war of 1975 and was made in Beirut. The idea, much as in the recent *West Beirut*, is to show contrasting patterns during that war, the merciless killing and the persistence of ordinary life. The "theater" that Sabbag has chosen for this contrast is a large battered apartment house, with its varied occupants. Much of the film deals, almost pleasantly, with the quirks and the eccentricities that we half-anticipate. A wealthy woman just returned from America expects the luxe life she once had here; a pair of prostitutes treat the war as incidental to their flossy lives; and so on. One of the story strands, true though it may be, is a bit too pat: a Christian girl, who has just come from the country to work as a maid, falls in love with a young Muslim, and dire consequences follow. But Sabbag has a sharp pictorial eye and the ability to vitalize character.

La Boda (The Wedding) by Hannah Weyer is a documentary that, modestly and empathically, really documents. Elizabeth, a young Mexican woman who is a migrant worker in California and Texas, is engaged to marry a young Mexican man back in their hometown. Weyer simply follows these people's lives, the preparations they and their families make, the wedding itself and the feasting that follows, and with this simplicity, she makes individuals of persons we might at first think of as "typical." And she also provides a generous helping of a culture—its customs and hopes and adjustments—that gives sustenance to its communicants.

Garage Olimpo, a fictional film, is so very well made—by Marco Bechis—that it grips despite the fact that almost the entire content is horrible. The title is the name of a huge ugly place in Buenos Aires that was used by the Argentine military during the brutal dictatorship of 1976–1982 for the torture of political suspects. (The executions took place elsewhere—by dumping the condemned from an airplane into the sea. This, we are told, happened to thousands.)

The performances are so good, the directing so incisive, that, though we sometimes wonder why we keep on watching, we can not avert our eyes. The principal character is a young woman, a revolutionary, who learns in the worst way that her family's boarder is one of the oppressive police. (Her mother, a Frenchwoman who is swindled of her house in her frenzy to free her daughter, is played by the exquisite Dominique Sanda.)

Public Enemy, a documentary by Jens Meurer, is a retrospect of the Black Panthers—their own retrospect. Meurer interviewed four leading members of the movement some thirty years after their prominence: Bobby Seale, Kathleen Cleaver and Jamal Joseph in California, Nile Rodgers in Connecticut. Interwoven with these interwoven interviews, which are shot in color, are TV newsreel clips of the Panther past in black-and-white, and this simple technical fact helps to underscore the passage of time. Noam Chomsky also appears in a modern sequence, addressing Cleaver's university class. (She is now a law professor.)

The passion of the 1960s is still, as it was meant to be, unsettling. The Panthers' means and rhetoric are still open to question, the grimness of the matters that moved them is still unquestionable. All of the four look back with pride on what they did but with full awareness that the Panthers' goal of social justice is still pretty much only a goal. The film's power to juxtapose the present and the past evokes a double response: relief that the violence of the '60s is tempered ("Off the pigs" is now an almost incredible cry); unease that the roots of the trouble are still rooted.

The HRWIFF plays at Lincoln Center in New York from June 14 to June 29 and will then travel to Boston, San Francisco, Buffalo, St. Louis, Houston, Portland, and elsewhere. I hope that it will be welcomed everywhere. If it is not a package of pure pleasures; it's a warrant that the film world is more varied and more serious than it usually seems. That world is full of good filmmakers struggling for our attention. Those who are represented in this year's festival are, even though it is seen so skimpily, the lucky ones.

Billy Crudup needs advice. He has much more than talent: he has the sort of presence that, before he speaks, announces depth of feeling. He is controlled in technique, and he has affecting subtleties of response. But the screenplays he chooses!

The last one was *Waking the Dead*, in which he played a rising lawyer-politico involved with the spirit of his dead girlfriend. Now, in **Jesus' Son** (Lions Gate) he is a 1970s layabout druggie in the Midwest, committed to a girlfriend who is even more of a druggie. The word "Jesus" in the title of a modern story is a pretty sure sign that the film will scrape the social dregs, people whom we are expected to care about precisely because they are dregs. A recent French number of this kind was called *The Life of Jesus*.

Reminiscent, too, of *Drugstore Cowboy*, Crudup's film asks for 107 minutes of attention to two sick young people whose sole aspect, presented as an attraction, is that they are sick. (The girl is played by the much less interesting Samantha Morton.) Underneath their sordid lives, we are meant to perceive poetry, hobbled by social misunderstanding. But it's therapy that is needed here, not cinematic focus—certainly not after the first twenty minutes or so.

Talent can be maimed by poor choices. It apparently has happened to Rebecca De Mornay; I hope it doesn't happen to Crudup.

The news of John Gielgud's death arrived just after I had begun reading Jacques Barzun's monumental new book, *From Dawn to Decadence*. The passing of this great actor—at 96, three years older than the author of this 877-page book—seemed to underscore Barzun's title. If a five-century-long cultural climate is altering drastically, where are future Shakespearean actors of Gielgud's majesty, nurtured by that culture, to come from? The only remaining peer that I know of is Christopher Plummer, and he himself has said that the sort of training and experience that helped him to

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develop is no longer available.

Film has a place in this matter. First, fine examples of Gielgud's Shakespeare are available on film: among them, his Clarence in *Richard III*, his Cassius in *Julius Caesar*, his Prospero (a portion of it, anyway) in *Prospero's Books*. But, for Shakespeare performances more intrinsic to film, performances agreeably attuned to cultural change, there are Kenneth Branagh's *Henry V*, *Much Ado About Nothing*, and *Hamlet*. (*Love's Labour's Lost* is en route.) I've never seen Branagh on stage, where he probably developed his Shakespearean style; but it certainly fits film wonderfully—a miraculous blend of vernacular approach with the music and lift of verse. I'm sad that I'm to see and hear no new Gielgud, but the old order once again changeth. In a recent interview, Barzun was asked if decadence is irreversible. He said, "Irreversible on the same track, yes." Will the new track opened by Branagh lead upward? We'll see. ■

Robert Brustein on Theater

The Staged Documentary

The Laramie Project, now playing at the Union Square Theatre in New York, is the joint product of the director-playwright Moises Kaufman and a group of eight lively actors who call themselves the Tectonic Theatre Project (TTP). "Tectonic" refers to deformations in the earth's crust, and *The Laramie Project* suggests that these deformities are often caused by humans. It is a play about the murder of Matthew Shepard, a gay Wyoming student who was beaten by two particularly brutal hoodlums who virtually crucified him against a wire fence. (Terence McNally would have done better to have made the crucified Shepard, instead of the crucified Jesus, into the gay hero of *Corpus Christi*.)

Some years ago, the same collaborative team gave us *Gross Indecency*, about the three trials of Oscar Wilde on charges of sodomy and pederasty. It is apparent that the tectonic deformations perceived by Mr. Kaufman and TTP are often related to the treatment of homosexuals in a homophobic society. This is an important theme for dramatic investigation. It is also a theme that is getting somewhat overworked. It must seem callous to apply artistic standards to the presentation of atrocities such as the Matthew Shepard case. But it is Kaufman who has made this terrible event into a matter of art; and when you make politics into art, then politics must be prepared to meet an aesthetic standard. Kaufman and TTP succeeded in drawing an engrossing evening of theater out of the unjust treatment of the homosexual Oscar Wilde in *Gross Indecency*, partly because the hero was such a brilliant man. *The Laramie Project* also has its moments, but the piece lacks a powerful protagonist.

Actually, the problem with *The Laramie Project* is that it has too many protagonists. It is less concerned with the murder of young Shepard than with the way the local residents reacted to the public notoriety that they received as a result of the crime. It starts from the very sensible notion that when a particularly heinous event occurs, then the entire area is often perceived as sharing in the guilt of the perpetrators. Reporters refer to "Columbine" and "Watts," for example, as a shorthand method of identifying disturbances; but in employing such generic language they manage to implicate everyone in town. As one of the Laramie townspeople ruefully remarks, "We've become Waco—Jasper—a noun."

Apparently inspired by the method of Anna Deveare Smith—conducting interviews that serve as material for an enacted scenario—*The Laramie Project* is much more a documentary than a play. Like Smith going to Crown Heights or South Central, Kaufman and his Tectonic actors went to Laramie to meet with the citizens and to ask each of them in turn, "What was your response when this happened to Matthew Shepard?" Over two years and six visits, they interviewed about 200 people, most of them only too eager to rescue the reputation of their town from infamy. More than sixty of these characters are represented on stage by the eight actors, who also sometimes play themselves. This is a very generous representation. By the end of the evening, we feel that we have met a fair sampling of Laramie residents. The problem is we cannot tell them apart very well, or even remember their names.

On a bare stage, backed with a brick wall against which "Journal Entries" are projected, and dressed with five tables and eight chairs, the actors represent a police chief, a university theater head, a woman rancher, a limo driver, a university president, a lesbian waitress, a lesbian faculty member, a Muslim feminist, a student defying his family by performing in *Angels in America*, and any number of friendly people just sitting around and mulling over how this sort of thing could have happened in their neighborhood. Some critics have pointed out resemblances between the town of Laramie and *Our Town*. Indeed, people even show up at Shepard's funeral carrying black umbrellas. But considering what happened to Shepard, this *Our Town* is at times closer in spirit to Kenneth Tynan's satire of it—that typical American village where they lynch blacks, spit on Jews, and punch out the lights of gays between visits to the drugstore for vanilla sodas.

This is not to say that the people interviewed by the TTP actors are in way evil or malign. Quite the contrary. Virtually all of them, including the governor of Wyoming, testify to having been "sickened" by the murder. "We don't grow children like that here," says another, adding, "But it's pretty clear we do grow children like that here." Laramie's attitude towards gay people, says another, "is live and let live." One clergyman affirms that he does not condone that kind of violence—or, as he feels compelled to add, "that kind of lifestyle." Although this particular murder was motivated by hatred of gays, one woman notes, Matthew was neither a saint nor a martyr. If the victim had been a policeman, would the newspapers have shown the same interest?

Still, most of them—except for a few anti-gay fanatics, one of whom carries a placard reading "God hates fags"—are tolerant of homosexuals. A hundred people march on behalf of Matthew Shepard wearing yellow armbands. Others wave placards reading "Peace and Love." And although one angry lesbian demands the death penalty for Matthew's killers, his father asks clemency for them, and they

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get it: life imprisonment. The citizens of Laramie, in short, are more likely than not to show a benevolent face. And so are the well-scrubbed actors who play them. (Even the cigarettes they smoke are environment-friendly, being unlit.) Sitting on stage watching each other perform, their expressions alternating between piety and sanctimony, these actors work very hard to avoid the chief danger of this kind of presentation, a tone of self-congratulation.

One can almost sense the director leaping up to squash the impulse towards condescension, not always successfully. With a few exceptions, notably Mercedes Herrero as a tough-minded policewoman worrying about contracting AIDS after cleaning away the blood of the HIV-positive Shepard, the performers are too often unspeakably awed by the inspirational way they are playing their characters; they seem forever on the verge of moving themselves to tears. In a filmed documentary, it is easy to respond to the simplicity of average people. In stage impersonations, that simplicity too easily falls into folksiness. *The Laramie Project* brings up unintended questions about the relationship of the stage to reality, and the responsibility of actors to the actual people whom they are trying to impersonate.

And this brings us to the main problem with the enterprise. Although the play is inspired by one of the worst hate crimes in recent American history, it draws back before the fact of human evil. For all the references to the killers, Russell A. Henderson and Aaron J. McKinney, by friends, family members, prosecutors and police officers, we leave the theater knowing as little about them as when we first arrived. (We also learn very little about Matthew Shepard.) What kind of people could snuff out the life of a human being because he was perceived to come onto them in a bar? What does that tell us about the nature of the human heart?

Instead of penetrating character, the play prefers to argue for legislation, as if special laws could somehow change the way people behave. But passing more laws will not eradicate racial, religious, or sexual hatred. It may just drive it underground to fester in uglier forms. A priest in the play says it sows the seeds of violence to say "fag" or "dyke." But it is a real question whether laundering the language—elsewhere known as "freedom from speech"—would lower the incidence of violence. The crime for which Henderson and McKinney were apprehended, tried, and convicted was not violating speech codes but murder, for which there are already plenty of laws on the books.

Upon reflection, *The Laramie Project* may be more important as a purgative than as a performance, for it succeeds best as a rite of exorcism for a lot of troubled people, as a kind of dramatized encounter group for the entire town. One resident may insist that "hate is not a Laramie value," but as another replies that "we need to admit we live in a country where shit like this happens."

The play also manages to make an argument for the normality of being gay, foreseeing a time when people will consider homosexuality neither right nor wrong, but simply a fact of biology. This is devoutly to be wished, for reasons moral, political, personal, and aesthetic. Such a condition might very well help to eliminate gaybashing. It might also help restore the theater to its original purpose—which is not to confirm liberal audiences in what they already believe, but to uncover the veiled mysteries of the human heart. And such a dispensation might permit our artists once more to explore the nature of sexuality rather than the issue of sexual preference, which is a condition of the whole of humanity and not just its wounded and divided parts. ■

JED PERL ON ART | Tate Modern and the crisis of the museum.

Welcome to the Funhouse

I.

TATE MODERN, LONDON'S new museum dedicated to art since 1900, is a fraud. I know of no other way to describe the yawning chasm that separates this impersonal hulk of a building and its embarrassingly spotty collections from the grandiose claims of Nicholas Serota, the director of the Tate, who has said that Tate Modern will "change the experience of living in one of the great metropolises of the Western world." The only thing that Tate Modern is going to change are real estate values on the south bank of the Thames, where Jacques Herzog and Pierre de Meuron, principals in the Swiss architectural firm that bears their names, have transformed the vast old Bankside Power Station (designed by Sir Giles Gilbert Scott in the 1940s but completed only in the 1960s) into a gargantuan catch-all for work by artists ranging from Monet to Nauman.

People tell me that they love Tate Modern. When I ask for specifics, they don't seem to be able to say why. The public has such an insatiable hunger for the best things in life—which, needless to say, include museum visits—that they would rather suspend judgment than go away disappointed. There are no more than four dozen paintings or sculptures of consequence dribbled through Tate Modern's nearly endless galleries, yet somehow this does not matter. The museum has become a funhouse enclosed in a gigantic site-specific sculpture. This one is a broad brick structure with a single, enormous tower which gives it a distinctive, marketable profile that the museum has stamped on a gift shop full of knicknacks. And if the inside of Tate Modern is a rather dispiriting, black-and-gray minimalist art amusement park, tourists may just go right ahead and accept it as a particularly London kind of experience: the *Bleak House* of funhouses.

A funhouse needs a look, a theme. Tate Modern, with its mix of functionalist chic and retro-industrial grit, is meant as a kind of urban fantasy—something out of a German Expressionist film. But this time Herzog and de Meuron, who are widely admired for revitalizing the powerfully rectilinear forms of classic International Style architecture, come across as modernist poseurs. The vast entrance hall that they have made out of the power station's Turbine Hall may look great in photo spreads, but when I walked into the space, which has the numbingly overscaled and underdeveloped proportions of some kind of Fascist nightmare, I felt like a speck of dust.

Serota is very pleased that Tate Modern does not charge admission (neither does the National Gallery, of course), but the Turbine Hall does not exactly suggest an audience-friendly experience. Finding your way out of that huge hall and into the museum's galleries is no small task; the architects seem uninterested in guiding visitors upstairs, perhaps because they are

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so busy with their entrance-hall ego trip. And once I got upstairs, the collection had so little twentieth-century art of real consequence that I feared for any museum-goer who might take Tate Modern for the modern story. They would leave scarcely knowing that Matisse or Kandinsky had lived, even as their heads were spinning with the most bizarre ideas, such as that Morandi and Braque are Conceptual artists, or that Mondrian's real significance is that he inspired the gridded photo works of Gilbert and George.

Tate Modern may give a creepily distorted view of twentieth-century art, but nobody will have any trouble locating the new Tate's precise position on the flow charts that track the latest power plays in the global art game. Some way back, at the beginning, you will find the Pompidou Center in Paris, designed by Renzo Piano and Richard Rogers, which opened in 1977, and was hailed for its panoramic views of Paris, much as Tate Modern is hailed for its views of London. (Pompidou closed in 1997 for extensive restorations and renovations, and went back into full operation this past January.) On the twentieth anniversary of Pompidou's creation, the funhouse mentality produced its first great building, the Guggenheim Museum Bilbao, Frank Gehry's fascinating invention in titanium, glass, and stone. This amazing design succeeds precisely because Gehry has had the wit—and the guts—to take as his subject the annihilation of the museum as we know it.

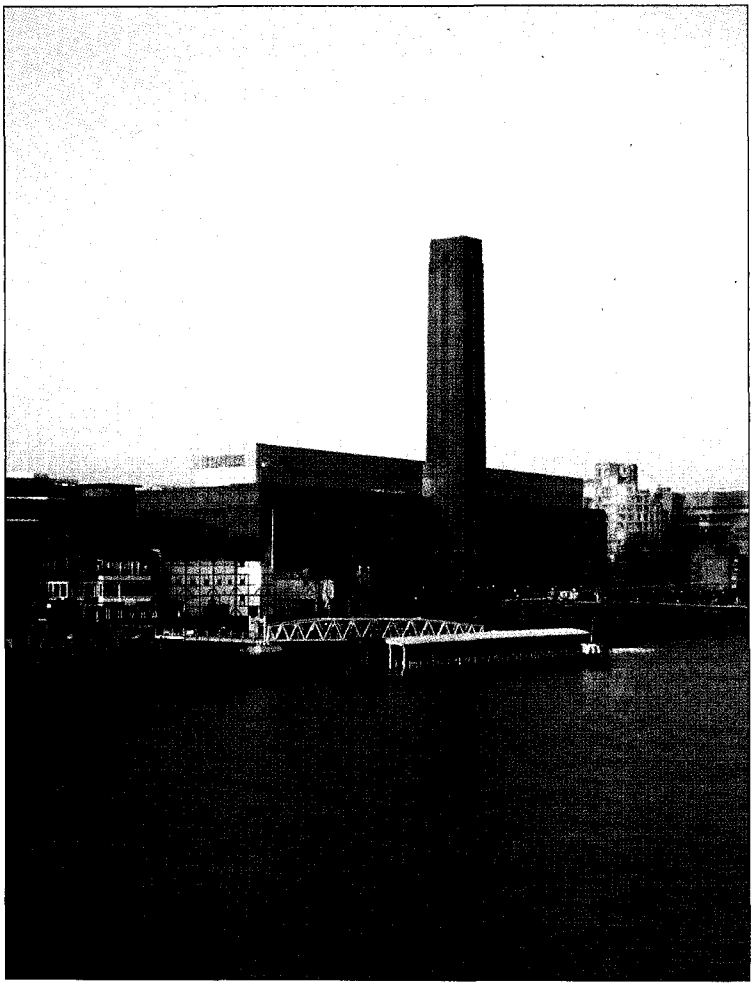

PHOTO BY MARCUS LEITH

Tate Modern, London, 2000

Thomas Krens, the director of the Guggenheim and Gehry's partner in crime, has perfected a kind of megalomaniacal populism that makes hash of the modern museum as a center for the collection, study, care, and exhibition of the best of twentieth-century art. In this regard, Krens is a direct descendant of Pontus Hulten, the dominant figure in the early years of the Pompidou Center, who organized a triumvirate of exhibitions there—"Paris-New York," "Paris-Berlin," "Paris-Moscow"—that pioneered the art show as multimedia extravaganza, and set the stage for globalism and all the other buzz words of the '90s. As for Nicholas Serota, he does not have quite the flair of Thomas Krens and Pontus Hulten; but if Tate Modern generates the kind of sky-high attendance figures that museum directors used to see only in their dreams, it will hardly matter that Herzog and de Meuron come across as the architectural equivalents of party poopers and that the galleries are a mishmash that nobody really wants to think about.

A few weeks ago, after seeing Tate Modern, I went to Bilbao to see the Gehry building and then on to Paris to revisit the Pompidou. I felt that I was experiencing an era of museum history, only in reverse. Developments are piling up so rapidly, and the museums are so anxious to upstage one another or to collaborate with one another, that almost everything you see reminds you of something else. That a lot of the new video work comes in editions contributes to the *dèja vu* effect: at the Pompidou Center I saw what I believe was the same Bruce Nauman that I had seen two days earlier at Tate Modern. Museum people mostly seem to be reacting to one another. The non-chronological organization of the galleries at Tate Modern has reminded many people of the non-chronological arrangement of "Making Choices," currently at New York's Museum of Modern Art. This is the new curatorial thing to do—with the difference that while the curators in Manhattan are scrambling the chronology because they do not know what to do with all their masterpieces, the scrambling at Tate Modern—organized by Lars Nittve, the man in charge—is meant to disguise the fact that they have almost no classic modern work worth a visit.

Chronology, that backbone of the historical sense, has been collapsed into some kind of postmodern time warp. And out of that time warp comes the new funhouse museum, where art past and art present are no more than raw materials, to be bifurcated and cloned in order to produce bigger museums or smaller museums or more museums—whatever the market will bear. There can be no doubt that London needed an institution dedicated to twentieth-century art. At the old Tate, which was designed to showcase British art, the story of twentieth-century art in Europe never came into focus. But the bifurcation of the Tate—the old building is now Tate Britain, devoted to the art of the homeland—also fits rather neatly into an international trend toward satellite museums and museum franchises that are promoted with pious talk of increased public access but generally result in ill-focused, slapped-together presentations.

Thomas Krens is the master when it comes to knowing that the package is what counts. Nobody goes to Guggenheim Bilbao to see the art. Looking at art is just something you ought to remember to do while you are there, like going to the bathroom or taking your vitamins. If Krens has his way in New York and manages to build another Gehry building, this one at the end of Wall Street, floating in the East River, it will not be because anybody was so overwhelmed by what they saw at the Guggenheim on Fifth Avenue and 89th Street that they wanted to see more. No matter that the SoHo Guggenheim—like Tate Modern, a renovation of an old space, in this instance by the celebrated Japanese architect Arata Isozaki—was a fiasco that has for all intents and purposes closed its doors. The

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Krens philosophy is, if you fail, try bigger. It is no doubt in part the Guggenheim's expansionist plans in New York that have lit a fire beneath the Museum of Modern Art, which has entered into a collaboration with P.S.1 Contemporary Art Center in Queens, even as the ur-modern museum prepares to expand its 53rd Street headquarters, this project under the direction of Yoshio Taniguchi.

The subject of the museum is no longer the fantasy lives of individual artists, but a kind of collective fantasy spawned by arts administrators and the architects who serve them. So many architects are competing for the same museum projects that sometimes it seems there is nothing else being built in the world. MoMA and P.S.1 are holding a five-year series of competitions for young architects to design for P.S.1. Herzog and de Meuron were runners-up for the redevelopment of MoMA; Renzo Piano was a runner-up for Tate. MoMA and the Tate have recently collaborated on what is referred to in a press release as "an independent for-profit e-business that will establish the premier destination on the Internet for individuals to access, understand, and purchase the best in modern art, design, and culture." The Royal Academy, another venerable London institution that has gone terminally hip, has collaborated with MoMA to support the Mori Art Center, a new museum in Tokyo. And with the Disneyization of the museum world has come a new generation of curators who have a theme or a thesis to fit any occasion, and select the art of the present and the past thirty or forty years mostly on the basis of how closely it resembles what people are seeing in the Multiplex or on Cable TV. You do not go to the museum to look at things; you go to be enveloped by a mood, an ambience, a scene.

At its best, the new museum is a kind of dramatic gesture. And the men and women who can pull off this kind of thing almost invariably invoke the most spectacularly fantastical architecture of earlier periods—the work of early-twentieth-century masters such as Erich Mendelsohn and Vladimir Tatlin, or of Neoclassicists such as Claude-Nicolas Ledoux and Friedrich Gilly. (A lot of this work never got off the drawings boards, so the new museum can seem like a kind of historical wish-fulfillment.) Gehry's Guggenheim Bilbao is about fantasy becoming reality: even as he knits his building into the surrounding cityscape, he is creating a structure that is deliciously self-involved. Private fantasy also takes on an amusing form in the strongest new work to be seen at Tate Modern, a group of three enormous towers by Louise Bourgeois that dominate the far end of the Turbine Hall (together with Bourgeois's equally oversized but less impressive spider, called *Maman*). Like Gehry's organic architecture, Bourgeois's Surrealist towers give old modern dreams a late modern reality.

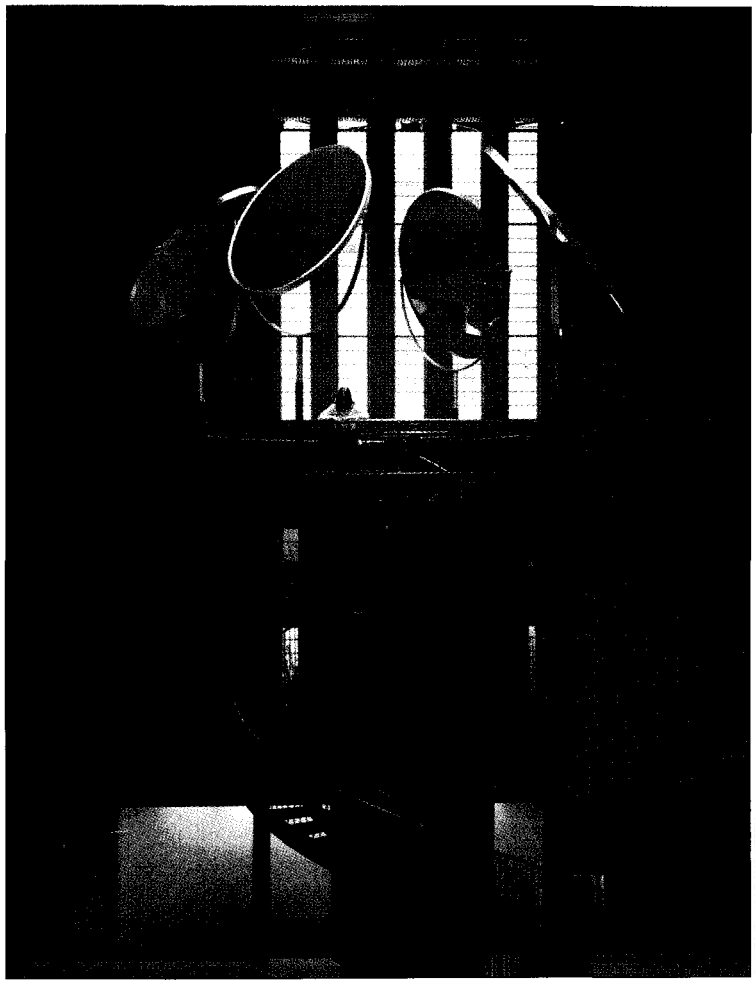

PHOTO BY MARCUS LEITH

Louise Bourgeois, "I Redo" (detail), 1999–2000

Bourgeois's towers—called *Toi et Moi*: *I Do*, *I Undo*, *I Redo*—comprise an elaborate meditation on growth and change. They are fitted out with spiral staircases that we can climb to the top. *I Do* and *I Redo* have observation decks, where we are invited to sit down and examine ourselves in several huge funhouse mirrors. Although Bourgeois never actually visited Tate Modern, nobody can accuse the 89-year-old artist of not knowing what's going down in the museum. *I Undo* and *I Redo* also include internal staircases by which we return to ground level, and these interiors—one with a modest gallery of Bourgeois's marble sculptures, the other fitted out as a kind of womb, with red-orange light and lots of mirrors—are the only places at Tate Modern where space has a surprising, challenging quality.

I have not much liked the work that Bourgeois has done in recent years, but at Tate Modern, working in a vein halfway between sculpture and architecture, she returns to the Surrealist fantasy kingdoms of her youth and emerges as a cunning old sybil who has an entire museum at her feet. *Toi et Moi* is not great art, but it is a grand, mocking, beckoning vision. In her own way, Bourgeois has understood what Gehry understands, which is that the new mood in the museum world gives an artist or an architect permission to celebrate personal idiosyncratic vision on a monumental scale—which is nice for them, even if doesn't leave much room for the rest of the art in the museum.

An eccentricity of the proportions of Guggenheim Bilbao is in danger of feeling ponderous and self-important; but Gehry brings to the building a humanizing sense of absurdity. A humorous intelligence animates every juxtaposition. The building doesn't just stand there, gloating. It engages us, inch by inch. Gehry has a magnificent feeling for detail, and for the human scale. When you are inside Guggenheim Bilbao, you feel that you are a part of its rhythms; even the back stairwells, the multi-leveled bookshop, and the small bar seem to echo Gehry's grandest flourishes. He is one of the very few architects alive who know how to compose in space. At Bilbao he composes—intricately, magnificently—while the museum as we have known it dies. And a polite way to describe what Herzog and de Meuron have done with their endless boxy spaces is to say that they have constructed a mausoleum for modernism. Perhaps that explains the puce-gray color scheme.

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II.

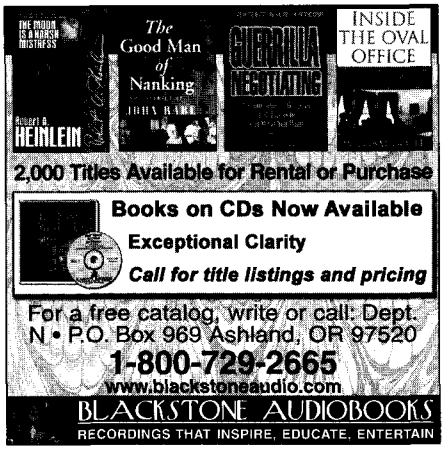
EVERY MUSEUM DEVOTED to twentieth-century art has been a work in progress. If you are really serious about getting the job done, you are always going to be struggling to make judgments about the recent and the not-too-recent past, even as you grapple with the present and wonder about the future. New York's Museum of Modern Art, the institution to which anybody who is interested in creating a museum dedicated to the art of the past 125 years will inevitably look for guidance, has itself been subject to dramatic shifts in direction. The collection that is by universal consent agreed to be the greatest in the world was not even regarded as permanent until some time around the middle of the century. Before that, there had been an idea that when works "passed from the category of modern to that of 'classic'" they might go elsewhere. Indeed, there was an agreement to that effect with the Metropolitan Museum of Art, and certain works did travel from MoMA to the Met.

There have been times, perhaps in the 1970s and 1980s, when the Modern seemed a grandly austere institution in the midst of an exploding art world, but the truth was always that the user-friendly museum had been invented on West 53rd Street. In the 1940s, the Modern had been criticized for trying to be all things to all people, for ignoring America's homegrown avant-garde in favor of shows devoted to inexpensive industrial design and programs of afternoon movies, for being a place where see-and-be-seen was more important than looking at art. There is very little in the way of multimedia exhibitions, attention-grabbing alternatives to painting and sculpture, or institutional self-promotion through high-end architectural projects that the Museum of Modern Art has not done, and done decades ago. The current emphasis—at Tate Modern, at the Pompidou Center, at Guggenheim Bilbao—on design, architecture, film, and their interaction are venerable modern concerns that were in fact first given prominence in the museum on West 53rd Street.

These new museums may be seen as MoMA's children. (Sometimes this is literally the case: Philip Johnson, an influential figure at MoMA in the early years, was on the committee to choose an architect for Pompidou that made the daring decision to give Renzo Piano and Richard Rogers the job.) These institutions try to act like MoMA. They imagine that they are matching MoMA's triumphs. But behind all the similarities there is a fundamental difference. Nowadays, it is not art but the culture's fascination with art—and with the art business—that fuels the museums. The museum curator who was once interested in how artists were responding to the world around them has been replaced by a curator who is more interested in the environment than in the artist.

ALFRED H. BARR JR., the founding director of the Museum of Modern Art, wanted to show people how artists—the de Stijl group, the Russian Constructivists, the teachers of the Bauhaus—shaped the twentieth-century environment. Along with such Bauhaus-influenced art schools as Pratt Institute, MoMA had a role in sharpening Madison Avenue's sensibilities. Admirers of Thomas Krens's show "The Art of the Motorcycle"—which is currently at the Guggenheim Bilbao, where it has been extended through the summer—argue that the exhibit is in the tradition of MoMA's design shows; but there is a qualitative difference between the Modern's presenting a few cars or a helicopter and Krens bringing together a hundred bikes. It is the difference between describing what designers have done and turning the museum into a showroom. Tate Modern and Guggenheim Bilbao are not making taste; they are validating whatever taste currently prevails. They are not presenting ideas that graphic designers or MTV producers might later bring to a broader public; they are mirroring what the culture already knows, and congratulating the public for knowing it.

Museum figures such as Pontus Hulten and Thomas Krens have been masters at turning the museum inside out while pretending that they are just shifting the emphasis. That Krens should have found himself at the helm of a museum whose Frank Lloyd Wright building has been attacked since it opened in 1959 as being unfriendly to paintings and sculptures—and attacked by artists of the stature of de Kooning—is an irony that Krens polishes at every opportunity. Krens likes to flatter himself that he is merely continuing the controversial but necessary work that the great modernist architect began. Yet the Frank Lloyd Wright building as we know it today, its vast rotunda heaped with Nam June Paik's TV monitors or bathed in a light show or sheathed in shiny metal, makes a hash of what was, like it or not, Wright's attempt to integrate the viewing of paintings with a grand architectural experience. As for the Pompidou Center, its immense see-through structure brings to mind the Crystal Palaces of the nineteenth century, which everybody recognizes as among the precursors of the International Style that was enshrined at the Museum of Modern Art. And to the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extent that the Pompidou Center evokes the atmosphere of a Crystal Palace—those ultra-public nineteenth-century halls—this structure also repeals the intimate encounter with works of art that was invented in the avant-garde galleries of Paris and perfected in the old, small-scale spaces of the Museum of Modern Art.

At first it may seem strange that Paris, a city that by the 1970s was almost universally agreed to have outlived its relevance as an art capital, should have become the cradle of a new kind of museum. But perhaps it is not so strange. Official France had always been ambivalent about modern art; and in the dawning postmodern moment that was so perfectly represented by the Pompidou, a certain ambivalence was just the thing. The individualism of modern art that Paris nourished was always regarded by official France with more than a little unease. And to the extent that the radicals of 1968 might be skeptical about or indifferent to the individualism of Parisian modernism, which often demanded a retreat to the solitude of the ivory tower, their ideas of artistic revolution, which tended toward the kind of public works envisioned by the Russian Constructivists or at the Bauhaus, had more than a little in common with the grand populist entertainments of the nineteenth-century International Expositions, which had flourished in Paris as nowhere else.

IN A WAY, there had always been two versions of twentieth-century art: one that celebrated the individual, and one that celebrated the group. The idea of transforming the look and feel of the world, advanced in Russia, Germany, and Holland in the 1910s and 1920s, was a dream that Stalin and Hitler stopped dead in its tracks, and it never got going again. One of Barr's great achievements at MoMA was that he recognized both the public side and the private side of modern art. He understood Matisse *and* the Bauhaus. Still, in the configuration of his museum, where the collection of painting and sculpture held centerstage, Barr affirmed the individualism of modern art as its essence.

That judgment has for a long time been under attack. When Hulten, early in his career at Pompidou, mounted his triumvirate of shows devoted to the encounters between New York, Berlin, Moscow, and Paris, he was asserting that the individual was less important than the synergy between groups, and this prepared the way for the current wave of global multimedia postmodernism. The Beaubourg's vast erector set of a building, with its bright painted tubes and fabulous see-through escalator, looks spiffier today than it has in many years. And in Paris, the reopening of the center has inspired reflections—and at least one book, Bernadette Dufrêne's *La création de Beaubourg*—on what the Pompidou meant in 1977, when it provided an official response to all the dissatisfaction with the regimentation of cultural life that had been heard in the streets in '68. The fact that the center housed the city's first public library could seem even more important than the fact that it was home to the latest in a series of attempts, dating back to the 1930s, to give Paris a proper museum of modern art.

The Pompidou Center was a multi-use cultural institution in a funhouse package with a plaza that almost immediately became a permanent carnival. At the time, this was felt to be a utopian project; and I am interested to see that the term "utopian" surfaces in a recent account of Tate Modern by the English art writer Andrew Graham-Dixon. In Paris now, however, the re-opening of the Pompidou has provoked some regret that the center is not what it once was. One difference between the old Pompidou and the new Pompidou is that the famous ride up the escalators, with its unparalleled views of Paris, can no longer be taken for free. Now you have to have a ticket for the museum before you take the ride. This change is designed to reduce wear and tear on the escalators and upper level walkways, where people used to go and hang out, picnic, or take a leak. Some now see those off-bounds escalators as a symbol of a less user-friendly Pompidou, a sign that the union of art and society that Pompidou's transparent walls symbolized is no more. But if the Pompidou's utopian aspirations now strike some as compromised, the real reason may be that its elegantly packaged cultural populism has been institutionalized at countless museums, including the Guggenheim Bilbao, and, now, Tate Modern.

III.

THE POMPIDOU WAS designed as the anti-Louvre—a freer, friendlier, multi-use museum for a freer, friendlier, multi-use Paris. Tate Modern is the anti-Tate—a hipper, more open kind of museum, for a hipper, more open kind of London. Tate Modern is related to late '90s London (to the "Sensation" show, to Charles Saatchi's buying sprees, to Damien Hirst's shark in formaldehyde) in the same Zeitgeisty way that the Pompidou was related to the students in the streets in '68. London, no doubt about it, is swingin' again, and the art scene there, which is significantly smaller than New York's, can seem like a place where all the international art world's contentious excitement is most easily observed. London has its painterly traditionalists—Leon Kossoff, Frank Auerbach, and Lucian Freud—and its Neo-Dadaists—Damien Hirst, Sarah Lucas, and Tracey Emin—and its crossover cases, such as Jenny Saville, who paints bloated flesh in a way that suggests a sort of hapless Surrealist photo collage. As Tate Modern opened, the Saatchi Gallery, a breeding ground for English outrageousness since the '80s, was presenting a show called "Ant Noises" (an anagram of "Sensation") which included Saville, Hirst, and Co.

There is not all that much work by the young British artists, or YBAs, in the initial installation at Tate Modern. Not that more Hirst or Emin would have altered my impressions. The organization of the galleries is so provisional, so tendentious, and so arbitrary that I was left wondering if the people in charge had the slightest suspicion that a vast installation of labyrinthine hallways by Ilya Kabakov might require a different kind of presentation from a tiny still life by Morandi. Aside from Bourgeois's towers, the only thing that really engaged me were the views of London from the gallery windows. (On my second visit to Tate Modern, Queen Elizabeth was inaugurating the new footbridge across the Thames, designed by Norman Foster with the collaboration of the sculptor Anthony Caro, and I was delighted by the wonderfully elaborate procession and some elegantly outfitted barges floating in the Thames; the whole scene looked like something out of a seventeenth-century engraving.)

At Tate Modern there are three enormous floors of exhibition space, containing some eighty galleries, but only enough classic modern work to fill three or four rooms. Given that the two floors of permanent collection contain innumerable loans (and thus are less than permanent), and that the floor devoted to a temporary show of video and installation is up for seven months (which is long for a temporary installation), there is reason to believe that this is an institution where all distinctions are in decline. The temporary show is called "Between Cinema and a Hard Place" (a phrase taken from the title of a Gary Hill video), and if you do not know what to think of that phrase, you can just go right ahead and take it as a metaphor for Tate Modern as a whole. Everything feels caught someplace that it has no business being.

IN ORDER TO trick an unsuspecting public into accepting Tate Modern as one of the world's great museums, the curators have reached for themes that enable them to bulk up their classic holdings with humungous recent works, or else contextualized the random master-

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piece until it seems less a work of art than an illustration in a history book. At Tate Modern, everything has been stuffed into categories such as "Still Life/Real Life/Object" and "Nude/Action/Body." The slashes in the titles recall that nowhere land between cinema and a hard place. What does it mean that Still Life is snuggling up to Real Life? Probably only that the curators have lost their minds.

They will try anything. If they have enough Minimalist sculpture to fill a room, they do it, and call it "The Perceiving Body." Why, you might ask, is Minimalist sculpture part of "Nude/Action/Body" rather than ""Still Life/Real Life/Object?" On the other hand, why not? Who knows? Who cares? Every old cliché is trotted out. "Naked and Nude"—now there's a brand new concept—runs from middle period Bonnard to late Picasso and recent Lucian Freud. I have seen many anthology shows at commercial galleries that were better selected than the rooms at Tate Modern. Some of Richard Long's rocks are on the floor in front of some of Monet's waterlilies: landscape painting, M to L. Morandi is in a room called "The Intelligent Object" with a computer designed by Richard Hamilton.

At least so far as the art of the first half of the twentieth century is concerned, the situation at Tate Modern is not beyond hope. True, the scarcity of genuinely great modern works—as well as the sky-high prices that they reach when they do come on the market—make it very hard to build a collection. But in London, where Tate Modern, Tate Britain, and the National Gallery are all national institutions—the Tate was originally a spin-off of the National—it is not inconceivable that in the years to come a solution might develop. Thus the opening installation at Tate Modern contains a number of paintings from the National Gallery, including a Monet and a Cézanne. As time goes by, more late-nineteenth and early-twentieth century paintings from the National Gallery might end up at Tate Modern. And if the collection began to cohere, collectors might consider leaving classic works to this new museum.

SOMETHING LIKE THIS process has taken place at Pompidou. A collection that was fascinating but scrappy in 1980 has become amazingly substantial. The display of Cubist Braque is riveting, far superior to what we see of Braque at MoMA. Good things have also been happening with early twentieth-century art at the Metropolitan Museum in New York, where William Lieberman is in charge. The current exhibition of School of Paris paintings, although gloomily installed, contains beautiful pictures by Braque, Matisse, Derain, and Balthus that compliment the works by these artists that are generally shown at MoMA. Most remarkably, the show includes two major canvases by Jean Hélion; and by concluding the exhibition with Hélion's *Grand Luxembourg Gardens, Indian Summer* (1960-1), the Metropolitan has in effect answered the prayers of many artists and poets who for years have been arguing that Hélion's panoramic views of Paris are a remarkable addition to a tradition of painting of modern life that goes back to Manet, Renoir, and Seurat. This, surely, is a sign that official taste can change for the better.

How can we make sure that masterworks find their way into museums? It is a big question; but the bigger question may be what happens to them once they are there. The curators responsible for the clearest presentations of classic twentieth-century art that we are seeing at the moment—William Lieberman in New York and Werner Spies in Paris—are working against the grain. What is ascendant now is the sort of non-chronological organization that we are seeing at Tate Modern and the Museum of Modern Art. In an article in *The London Review of Books* about the new installation of Tate Britain, which is also non-chronological, David Sylvester rightly observes that "chronology is not a tool of art-historical interpretation which can be used at one moment, discarded at another. It's an objective reality, built into the fabric of the work. And into the artist's awareness." But the artist's awareness is not much on the minds of curators and dealers.

Still, the splice-and-dice installations do bring interesting things to the fore. There is a whole room of small works by the Constructivist Naum Gabo at Tate Modern. And the current installation at MoMA contains a room of Morandi etchings, a room of works by Arp, a beautiful and rarely seen abstraction by Vicira da Silva (1950-51), and the magnificent Braque *Studio V* (1949-50), which has just entered the Modern's collection. These are works that I would have hungered to see in the old days of MoMA, when the permanent collection was all about the lockstep march through Alfred Barr's or William Rubin's preferred view of history. Surely the acquisition of Braque's *Studio V* is the most exciting recent development at the Museum of Modern Art. At last this great museum has one of Braque's late masterpieces, a painting full of depths and enigmas, of representational elements that go teasingly abstract on us and vice versa—even if it is hung in a grouping called "Paris Salon," a sort of quickie survey of trends in Paris circa 1950, and thereby treated as a period piece. Sometimes the new eclecticism does give us what we want.

Still, the new installations at MoMA do not suggest creative rethinking so much as curators who are tossing everything into the air and seeing what happens. I almost hear the curators saying: "You want Morandi etchings? Okay, we'll give you Morandi etchings." It's all the same to them. Morandi, Warhol, Braque, whatever. They are making choices, lots of choices. Everything is in process. No conclusions are necessary. The new installations at the Modern are just flash cards and Cliff's Notes. To say that some old view of modern art has been rejected or inverted is not quite the point, at least insofar as that suggests that something else has replaced it. The new view is that there is no view. The building is the thing.

NOBODY CAN DOUBT that the contemporary galleries at Tate Modern reflect an international consensus of some sort. Moving images, electronics, wrap-around drama are the order of the day. And some of the artists have been growing more skillful at inventing effects that can hold the attention of an audience that grew up with the Multiplex, computers, Cable TV. The best video installation that I have seen is Sam Taylor-Wood's *Third Party*, not in a museum but at the Matthew Marks Gallery in New York earlier this year. In a huge, darkened room, a range of images playing on four walls gave you different views of a party in an upscale London flat. Taylor-Wood presented some great camera subjects, especially Marianne Faithfull, with her golden mask of a face. The video had a lush, glittery elegance, and a nice way of concentrating on moods, looks, details of the interior.

There wasn't anything among the contemporary video work at Tate Modern as engrossing as *Third Party*. (Taylor-Wood's own *Brontosaurus*, of a naked guy dancing feverishly, was silly.) But the entire mentality at Tate Modern seems far more keyed to movies or popular entertainment than to painting or sculpture of the past hundred years. A part of the reason that video goes over so big may be that the audience has relatively little feeling for the history of painting and sculpture; but if some of the dutifully experimental videos on display actually strike museumgoers as worthy of their attention, you have to wonder how much Tate Modern visitors know about the history of film. Bill Viola's *Nantes Triptych*—a three part video shown at Tate Modern, with birth at left, death at right, and something outer-spacey in between—could only be exciting to somebody who was unfamiliar with the experiments that movie people were

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doing with split screens and collage effects seventy years ago.

The museum as a funhouse is a fact of life. The Guggenheim branch that Krens has proposed for Wall Street includes a skating rink. Krens is also planning a Koons retrospective, which will probably include the artist's new *Easyfun* series, funhouse mirrors currently being fabricated for shows in London, Paris, Berlin, and Milan. Meanwhile a version of Koons's enormous terrier covered in live flowers, which stands watch in front of the Guggenheim Bilbao and has a certain kind of garden-ornament-gone-berserk charm, is going up in Rockefeller Center. By these standards, Tate Modern is a failed funhouse. Louise Bourgeois is a bit scary to play the mistress of ceremonies; she takes herself too seriously to fall in with the insouciant new mood. Which is not to say that Krens or Serota are interested in creating a soft, friendly experience. What they are expert at doing is bludgeoning the public into submission, so that it accepts their idea of fun.

Those who voice skepticism about the place of movie images or TV monitors or electronic noise in the museum are often attacked for targeting pop culture. But surely the opposite is the case. It is the museum directors and curators who are making pop culture the issue. The new museum is not opening art up to new media so much as it is closing art off from the wellsprings of tradition that have nourished artists forever. To be sure, paintings are not excluded from these institutions; but the intricate internal structures of a powerful painting cannot compete with the enveloping atmosphere, the overheated mood. Most of the strong work done in recent years would have little impact at Tate Modern or Guggenheim Bilbao, if it ever happened to be shown there. The people in charge might say that this tells you something about the work. I say that it tells you something about their indifference to what the finest painters and sculptors are doing.

It is in the very up-to-the-minuteness of these institutions that you detect the beginning of their undoing. Basically, Tate Modern and Guggenheim Bilbao are celebrations of a booming global economy. These museums are the toys of corporate wizards who expect the curators who serve them to whip up a cultural center that mirrors the wildly accelerated world that the wheeler-dealers already know. If the art of the present, as seen in these museums, seems utterly unrelated to the art of fifty or seventy-five years ago, it is because the people in charge could not care less how today connects with yesterday.

The anti-chronological installations that you see at MoMA and Tate Modern suggest exactly how badly the foundations of these museums have been shaken. Going through the shows, we watch all the underpinnings collapsing, and that collapse cannot be disguised by fancy theories or jazzy building schemes. Particularly at the Modern, where the collection really is transcendent, the breakup can be weirdly fascinating to watch. I am reminded of descriptions of London during the Blitz, when it was possible to walk familiar streets and discover, amid the chaos of shattered façades, beautiful rooms that you had not known were there.

What we are seeing at the Museum of Modern Art and Tate Modern is like nothing that we have seen before. This is a new kind of curatorial mayhem. I believe that sophisticated museumgoers are still a little stunned, by what they are seeing and by the thought that the men and women in charge can be so insistently obtuse. Then again, a funhouse is designed to be disorienting, and if you go expecting something other than a funhouse, you are bound to feel doubly disoriented; but for the people who are running the museums, this can only add to the experience. The directors and curators at these museums are having their way with us, and so far they are getting off scot-free. ■

MARTIN FILLER ON ARCHITECTURE | Tate Modern and the crisis of minimalism.

More or Less

I.

MIES VAN DER ROHE, the most successful minimalist architect of the twentieth century (as well as the unintentional source of the debased late version of the International Style known as Corporate Modern), famously described his unadorned, glass-walled, metal-framed buildings as *beinähe Nichts*, or "almost nothing." He was being disingenuous, of course: the level of reductive perfectionism that he attained in his best work was staggeringly effortful. Minimalism is the most demanding and pitiless of architectural aesthetics, exposing lapses in conception and flaws in execution to a degree unparalleled in conventional structures, in which the distracting overlay of ornament, pattern, and decoration can hide a multitude of sins.

Minimalism has historical roots that far predate modernism—from the rigorous renunciation epitomized by the Cistercian monasteries of France in the twelfth century to the voluntary poverty of the wabi-sabi aesthetic of Japan in the seventeenth century; but it has persisted during the past century as a parallel development throughout the many vicissitudes of vanguard architecture. Minimalism has never enjoyed wide currency, but it has never disappeared. And today the most celebrated practitioners of minimalism are the Swiss architects Jacques Herzog and Pierre de Meuron.

They have practiced together in their hometown of Basel since 1978, but it is only in the last five years or so that they have gained stardom. Herzog and de Meuron are a part of the larger development known as Swiss Minimalism, of which their more reclusive and introspective countryman Peter Zumthor is arguably the most talented exponent. One of Zumthor's characteristically elegant structures is his Protection Shed Over Roman Ruins of 1985–1986 in Chur, Switzerland, a delicate series of light, wood-slatted pavilions that gently shelter and subtly enhance the two-millennium-old masonry foundations of a Roman colonial settlement. But it is Herzog and de Meuron—and especially Herzog, the dominant force in the partnership—who have established themselves as leading contenders in the high-profile specialty of museum design, and this has made all the difference in pro-

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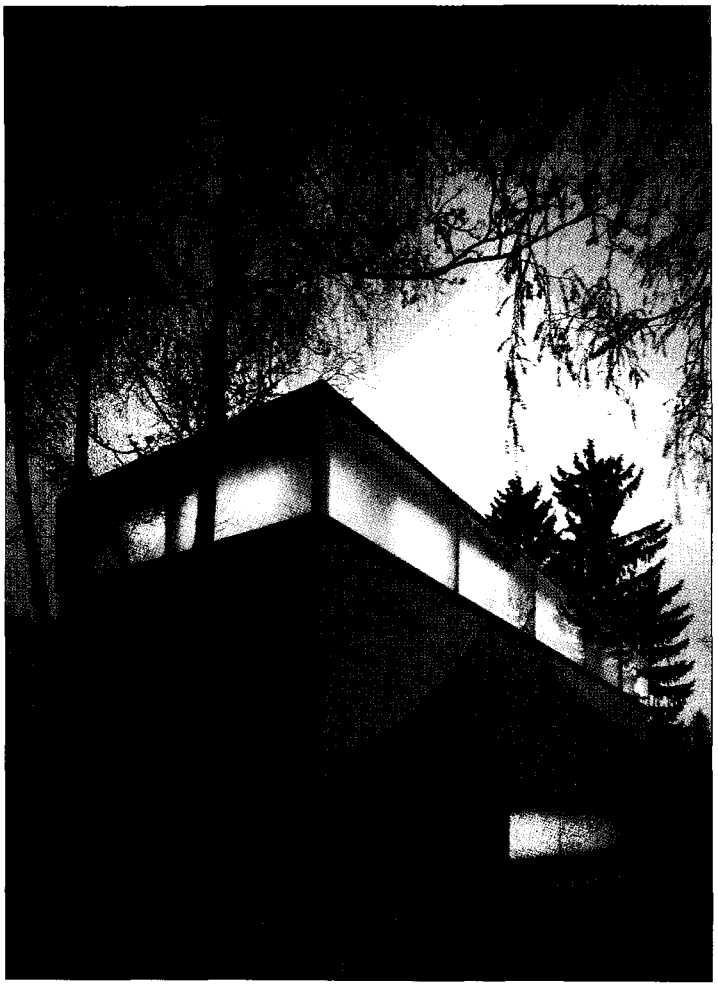
pelling their international reputation.

Herzog and de Meuron first came to widespread attention in the United States in 1995, when Terence Riley, the chief curator of architecture and design at the Museum of Modern Art, included two works by the firm in the exhibition that he called "Light Construction." The premise of that wide-ranging but narrowly focused survey—apart from reasserting MoMA's hard-edged, high-tech architectural preferences after years of stylistic apostasy in the world at large—was to identify a shared tendency in new architecture that was light both structurally and materially, with transparent or translucent surfaces that illuminated the forms that they enclosed.

One of the unqualified hits of "Light Construction" was Herzog and de Meuron's Goetz Collection of 1989-1992 in Munich, a small private museum of contemporary art in a residential section of the city. This exquisitely restrained rectangular volume—the approximate shape and proportion of a shoebox set on its long side—reminded us that minimalism was still far from a played-out game. The four horizontal bands of the façade—mullionless translucent glass at the base and below the roof, with two courses of pale birch laminate panels sandwiched between them—make the concrete-framed structure appear to hover above the park-like landscaped setting. The Goetz Collection's boxy, white-walled display spaces, whose frosted strip windows just below the ceiling form the upper and lower bands of the façade, are adequate for the works on display there, which include the white-on-white canvases of Robert Ryman. (Still, those interiors do not even begin to approach the quality of light and serenity achieved by Renzo Piano in the galleries of his Menil Collection of 1981-1986 in Houston, with its elevations of metal-framed wooden panels that seem an obvious source for the exterior wall treatment at the Goetz.)



Herzog and de Meuron, Goetz Collection, Munich, 1989–1992

Riley's show brought the jewel-like Munich gallery to the attention of museums on the lookout for rising young architects, not least of all the Museum of Modern Art itself. In 1997, Herzog and de Meuron were among the ten firms chosen to participate in MoMA's invitational competition for the expansion of the institution's premises in midtown Manhattan. The Swiss team's proposal, which was exhibited along with the nine others, called for a highly abstracted series of orthogonal glass volumes to be built over, around, and among the existing accretion of museum structures between West 53rd and West 54th Streets. Though their design was exceptionally schematic, it seemed promising enough to advance Herzog and de Meuron to the final round, along with the New York-based Bernard Tschumi and the Tokyo-based Yoshio Taniguchi, all of whom were asked to provide more detailed versions of their initial offerings.

There had been some anxiety at MoMA that the small Swiss partnership, which had already been given the Tate Modern commission, might not be able to handle two such gigantic jobs simultaneously; and no doubt there was also a certain degree of institutional *amour propre* that militated against one major museum's choosing the same architects as another. Much more worrisome was the fact that Herzog and de Meuron's second rendition was little more specific than their first. Whereas Taniguchi, who won the sought-after project, had immersed himself in the complex interrelationships of the existing museum buildings, and consulted with the client's staff in depth about their needs and expectations, the Basel team's sketchy effort seemed minimal to a fault. The MoMA selection committee's reaction was not unlike the 2000 Year-Old Man's skeptical response to his first look at that ultimate religious logo, the Cross: "It's simple. It's simple. It's too simple."

But the loss of the most coveted museum commission since Richard Meier landed the Getty contract in Los Angeles in 1984 was no deterrent to Herzog and de Meuron's success at gaining other museum assignments in quick succession on the basis of the MoMA competition. One of those they quickly resigned: after being asked to design a new gallery for the University of Texas at Austin, they found the strictures imposed on them to conform to the conservative architecture of the campus to be an insuperable obstacle. One wonders why these well-known minimalists were chosen in the first place, apart from the glamour by association that sometimes seems to supersede all other factors when such decisions are made.

In April 1999, Herzog and de Meuron were chosen to design a new building for the M.H. de Young Museum in San Francisco's Golden Gate Park, and came back with their proposed scheme only two months later. The architects responded to a peculiar programmatic requirement: after the old de Young building was damaged in the Loma Prieta earthquake of 1989, two successive bond issues to raise money for its reconstruction were rebuffed by voters. The museum's trustees then proceeded to raise the required $135 million privately; but the museum is sited on public land, and so some free access had to be provided, however grudgingly, to the ungrateful electorate.

Herzog and de Meuron's ingenious floor plan perfectly expressed that grudgingness—or, if you prefer, shrewdly met both the democratic ideals and the undemocratic realities of the project. An interweaving sequence of indoor spaces and outdoor spaces allows nonpaying visitors to penetrate to an open courtyard at the center of

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the building. They also will be permitted to ascend to the top of the wedge-shaped, glass-and-stone-clad tower at one corner of the rectangular building. But given current preferences of many museumgoers around the world, that restriction may pass unnoticed. At the fee-free Centre Georges Pompidou in Paris, almost 20 percent of the visitors bypass the galleries altogether and merely take the escalator to enjoy the views from the rooftop observation deck, and a good number of guests at the Getty do the same.

II.

THE OPENING OF Herzog and de Meuron's largest and costliest work to date, the $210 million Tate Gallery of Modern Art in London, has been the most heralded and publicized museum debut since the completion, within weeks of each other at the end of 1997, of Frank Gehry's $100 million Guggenheim Museum Bilbao in Spain and Richard Meier's $1 billion Getty Center. Amid the welter of new museums being built around the world, the greatest present concentration is in Britain, where national lottery funds have spawned a frenzied wave of construction for cultural institutions. This new branch of the Tate Gallery, on the south bank of the Thames at Southwark, is a few miles downriver from the museum's north-bank headquarters, which dates from 1897 (and has been given the corporate-sounding name Tate Britain, no doubt to prevent the pejorative prefix of "old" from attaching to it.)

Housed in the former Bankside Power Station, Herzog and de Meuron's Tate Modern is the most spectacular transformation of a disused urban landmark into an art museum since Gae Aulenti's conversion of the old Gare d'Orsay in Paris opened as the Musée d'Orsay in 1987. Designed by George Gilbert Scott in 1947, the Bankside facility was hopelessly dated even before its blueprints were dry. A stylistic vestige of late Art Deco (which persisted in the immediate postwar years even in the United States), this fortress-like brick-clad steel structure is deployed symmetrically along the river on either side of a 325-foot-high central chimney, limited to that height so as not to overshadow the dome of St. Paul's Cathedral directly across the Thames. The 370,000-square-foot power station was not completed until 1963, but by 1981 it had already become so technically outmoded that it was shut down, and it narrowly escaped demolition at the end of that decade.

Tate Modern has several things in common with the Musée d'Orsay: the dramatic riverside site, the laudable preservation of a remarkable structure, the gargantuan entry hall—and the faulty notion that any vast and interesting structure has the potential to be turned into an effective art museum. You can see where the French got that idea: the Louvre, one of the first great public museums, is housed in a former royal palace. Yet the Musée d'Orsay is quite another matter, with an immense scale that dwarfs even the largest works within it, terrible lighting that diminishes them even further, and confusing circulation that makes getting to the Impressionist galleries on the top floor rather like staging an amateur assault on Everest.

TATE MODERN, BY contrast, is much less problematic. As at the Paris museum, visitors enter down a long, gently inclined ramp and into an immense architectural volume. The former Turbine Hall of the Bankside Power Station measures 500 feet long, 75 feet wide, and 115 feet high. The latter dimension is the equivalent of a ten-story building. (The much-acclaimed Fish Gallery at Gehry's Guggenheim Bilbao, by comparison, is almost as long and wide—443 feet by 72 feet—but it is only 33 feet high.) Unlike in the Musée d'Orsay, this stupendous space is wisely left almost entirely free of art. For the opening installation, several huge sculptures by Louise Bourgeois, specially created for the occasion, occupy the rear third of the Turbine Hall, beyond a second-story walkway that spans its width. A vast bookstore, the largest in any museum, is located unobtrusively below grade to the left of the entry ramp. But, then again, what could compete with this colossal room?

The Turbine Hall has repeatedly, and wrongly, been described as Piranesian. Despite its seemingly limitless dimensions and the bridge-like forms of the original gantry equipment left intact below the ceiling, there is none of the psychological mystery summoned up by the fevered imagination of the ur-Romantic Italian architectural fantasist. Herzog and de Meuron have tidied up the space to a fare-thee-well, adding a longitudinal skylight and wall-mounted, translucent laminated-glass fixtures that recall photographers' light boxes. Neither pure enough nor rough enough, rich enough nor spare enough, the revamped Turbine Hall in the end is noteworthy only for its extraordinary size—and for this amazing space Scott, not Herzog and de Meuron, must be given the credit.

The exhibition galleries are reached via banks of escalators at the middle of the building. Moving stairs certainly are the most efficient way of transporting large numbers of people through big public buildings, but when will architects at last design these necessary circulation devices so that they do not bring shopping to mind? This has been a particular problem in museums as different as I.M. Pei's East Building of the National Gallery in Washington and Cesar Pelli's addition to MoMA, both of which have the unfortunate air of commercial malls because of their obtrusive escalators. At Tate Modern, Herzog and de Meuron have evidently decided to brazen it out with off-the-shelf escalators as deadpan as can be imagined, though at considerable cost to the architects' reputation for minimalist finesse. In a scheme with so much determined by the existing envelope, a beautifully conceived and impeccably installed escalator, in the spirit of Norman Foster's glass-walled elevator in his Sackler Galleries of 1991 at the Royal Academy of Art in London, could have made a much more memorable impression. The Tate Modern circulation system is not almost nothing; it is less than nothing.

THE GALLERIES AT Tate Modern are a tremendous letdown. To be sure, the much-maligned white cube, paradigm of the modernist museum room, can reach sublime heights in the right hands, as Renzo Piano and his engineering consultant Peter Rice demonstrated so persuasively in the galleries at the Menil, where the precise modulation of natural light through an ingenious series of overhead louvers gives those galleries intense but even illumination imparting an almost surreal clarity to the works on display. The weather conditions of Britain will never allow the penetrating light effects that are possible at Houston's latitude, but John Soane managed to do quite nicely indeed with coffered skylights at his Dulwich Picture Gallery of 1811-1813—so much so that his pioneering light-diffusion format has been widely adapted for many museums over the past two decades, most notably at Robert Venturi and Denise Scott Brown's Sainsbury Wing of 1986-1991 at the National Gallery in London. I was told by a Tate representative that the new galleries looked dreary on the day I visited them because the skies were overcast, but in the British capital gray is the rule rather than the exception. The cold fluorescent lighting does nothing to dim the perception that the architects simply did not pay enough attention to this fundamental requirement for an art museum.

With such an enormous structure to work with, Herzog and de Meuron were able to create several impressive display spaces, such as the double-height gallery on the west end of the building. With floor-to-ceiling vertical strip windows re-

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tained from the original structure echoed in similarly shaped recessed light fixtures that appear to extend the fenestration into the ceiling, this room is now given over to a gigantic installation piece by Joseph Beuys that manages to look cramped even in this generous volume. For the most part, though, the boxy galleries are anonymous to the point of generic sameness—an especially fatal flaw for minimalism, where the goal is to make the indefinable seem unique. Although most of the art on view at Tate Modern is not as needful of careful presentation as the treasures of the Musée d'Orsay, even the seemingly impervious works of the Young British Artists could be better served than they are here.

The London-based minimalist architect John Pawson, whose practice has been largely limited to interiors, does this sort of thing much better. His several projects for commercial art galleries and residences for art dealers prove that the white cube can be infused with the ethereal quality that the galleries at Tate Modern conspicuously lack. Pawson's distinctive habit of leaving a thin recess of negative space at the right angle where walls meet floors, rather than having them touch in the usual manner, gives his rooms a buoyancy amplified by his characteristic use of very plain but very fine materials. But when so much depends on so little, as it does by definition in minimalism, then such small choices become crucial.

Tate Modern works best at its base and top, in the two restaurants that are certain to become a major popular attraction. The ground-floor café connects with an attractively landscaped terrace overlooking the Thames and the new Millennium Bridge, a pedestrian walkway linking the museum and St. Paul's Cathedral. Designed by Norman Foster with the collaboration of Anthony Caro, this is the first new central London crossing of the river since 1894. (One of the rejected entries in the closed competition for the footbridge was a far superior proposal by Frank Gehry and Richard Serra, preposterously deemed unbuildable, but no doubt rejected for chauvinistic reasons in favor of an anemic British scheme.)

Surmounting Tate Modern is Herzog and de Meuron's most visible exterior addition, their so-called "light beam," a narrow, two-story glass-walled penthouse that contains the second of the museum's public restaurants as well as private accommodations for the institution's most generous supporters. The panoramic views of London's landmarks are wonderful from up there—across the river to Wren's indomitable dome, many stories below to the thatch-roofed recreation of Shakespeare's Globe Theater, and upriver to Big Ben. Yet on the interior and especially on the exterior, Herzog and de Meuron's light beam is not finely enough detailed, and it looks cheap and provisional. The metal mullions of the frosted glass panels do not begin to approach the high minimalist standard of Mies's crisply detailed framing elements, and the outermost panes on each end of the big box are annoyingly narrower than all the rest. This disproportion sets up an unsatisfying rhythm at the corners of the structure, the very place where Mies lavished his most obsessive attention, knowing the rest of the exterior would thereby fall into place. A minimalist building does not have to be slavishly Miesian to work, but in trying to carry off some of the master's best-known effects his lessons are ignored at one's peril.

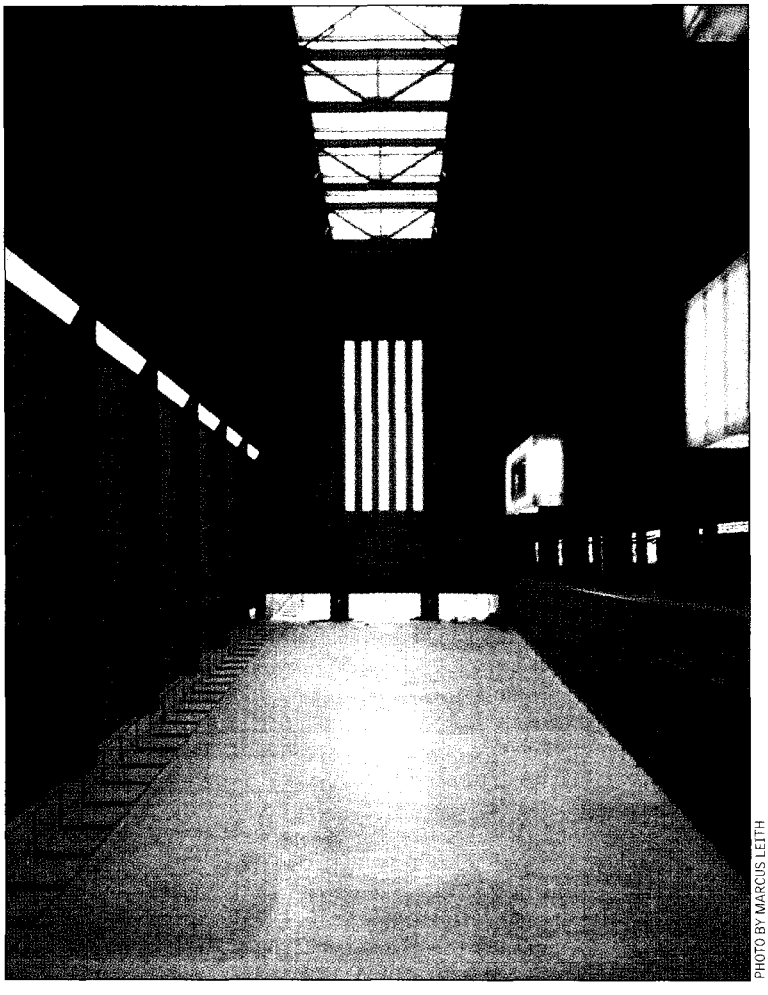

PHOTO BY MARCUS LEITH

Turbine Hall, Tate Modern, London, 2000

Tate Modern is far from an architectural failure, but it comes nowhere near the top in recent museum architecture. The key to success in conversions of an existing building from one function to another lies in appropriateness of scale. As tempting as it may be to believe that bigger will mean better, the exact opposite is much more likely in the case of museums. Josef Paul Kleihues's handsome remodeling of the Hamburger Bahnhof (a Berlin train station of the 1840s) into a contemporary Kunsthalle, which opened in 1993, has produced a much more congenial environment for viewing art than Aulenti's converted Gare d'Orsay, largely because the latter's oppressive inflation of scale, typical of late Beaux Arts public works, is absent in the more modest earlier building. And what is the point of having a ten-story-high space at Tate Modern if it is going to remain virtually empty because almost no work of art can be sympathetically installed there?

III.

It is difficult to sustain the rigor of minimalism on a very large scale, and so it is not surprising that Herzog and de Meuron's best work is also their most intimate. The scheme that best illustrates both their strengths and the weaknesses is the Dominus Winery of 1995-1998 in the Napa Valley town of Yountville, California. This 300-foot-long, two-story rectangular structure is encased in a cagelike metal-wire exoskeleton, the interstices of which are filled with dark green basalt stones ranging in dimension from fist-sized rocks to boulders. Though this conceit brings to mind a fusion of minimalist sculpture and earth art, it serves a practical purpose. The closely packed smaller stones give an opaque density to parts of the building where natural illumination is unwelcome—such as the vat-storage chambers—and the more loosely stacked boulders filter dappled daylight into the windowless offices.

This is a forbidding design, which is just what the client, the transplanted Bor-

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deaux vintner Christian Moueix, wanted. Though most Napa Valley wineries promote public visits with free tastings and even entertainment, it is almost impossible for anyone but viticulture professionals to gain admittance to Dominus. Not even architecture critics are particularly welcome. "Photography Prohibited", reads a tastefully lettered sign near the entrance to the tantalizingly photogenic structure, which seems like some kind of alien monolith—think of the black stele in Kubrick's *2001*—set down in the verdant landscape. But in fact the severe exterior is far more pleasing to the eye than the prevalent pseudo-architecture of other vineyards in Napa Valley, which has become a riot of sham Norman chateaux, bogus Tuscan villas, phony Spanish ranchos, and those inimitable stylistic hybrids that are pure California.

IF ONE HAS been lucky enough to penetrate this high-security installation, the approach to the building is marvelous. A pair of asymmetrically positioned rectangular voids—a larger vestibule for visitors and a somewhat smaller one for trucks—cut through the big black box from front to back. Those openings frame point-perspective views of row upon row of grapevines converging and vanishing at the foot of the Mayacamas Hills, a pictorial focusing of landscape that recalls a favorite strategy of classical Japanese architecture. Also quite Japanese in feeling is the verandah-like hallway outside the offices, with its outer screen of gridlike gabions, the steel mesh fencing commonly used in Switzerland to halt rock slides.

For all the elegance of the exterior, the building's extreme fetishization of materials has more than a touch of S&M stricture to it, adding a kinky subtext to the otherwise sober aesthetic. But the interiors are much less intriguing: they are cold, clinical, and joyless. Sampling good wine is a sensual activity, but in this bleak and harshly lit tasting room, with its single rectangular table and sterile aura bringing to mind a hospital operating room rather than country hospitality, you think about giving blood rather than sipping cabernet. The mullionless internal glass wall of the concrete-floored tasting room overlooks the barrel-storage chamber, with its uniform ranks of oak casks lined up beneath bare-bulb hanging fixtures. Minimalism ought not to make kitsch look good, but after this hyperrationalized experience a few fake beams do not seem so objectionable.

Herzog and de Meuron's interest in the interrelationship between architecture and landscape is further expressed in their marketing building of 1997-1999 for Ricola, the herbal throat-lozenge manufacturer, in Laufen, Switzerland. This minimalist reiteration of the early modernist ideal of the machine in the garden uses large expanses of glass and lush plantings (by the firm of Kienast Vogt) to break down the boundaries between indoors and outdoors, much as Jean Nouvel did in his high-tech greenhouse gallery of 1992-1994 at the Cartier Foundation for Contemporary Art in Paris. The Ricola building is meant to become eventually overgrown with vegetation. Fiberglass poles projecting outward from the flat roof of the two-story structure support a mesh canopy for vines, and existing tall trees on the tight urban site were preserved to enhance the illusion of a secluded glade. But how may the messy reality of live plants be reconciled with the pristine standards of minimalism?

IN ANOTHER OF Herzog and de Meuron's small buildings, a studio for the artist Rémy Zaugg outside the Alsatian town of Mulhouse, the architects dealt with the problem of rain streaking the blank sides of the one-story concrete pavilion by collaborating with the owner in the creation of what might be called a preemptive artwork. Zaugg suggested the installation of mineral deposits at the roofline that, when rained on, would drip down and stain the wall below with vertical bands of rust brown and ochre, like a giant canvas by Morris Louis, making a virtue out of a liability.

But such clever co-options aside, the maintenance of minimalist buildings, especially in the northern European climate where Herzog and de Meuron have executed most of their work, presents great problems. Piano's Menil Collection in Houston still looks wonderful a decade and a half after it opened, but it owes its good looks to a generous budget for meticulous upkeep in a region of fairly benign weather (tornadoes and floods excepted). Several of Herzog and de Meuron's relatively recent structures already look terrible, including their copper-louvered railway Signal Box auf dem Wolf of 1989-1994 in Basel. "They ooze smoothness, a kind of otherworldly perfection," the Dutch architect Rem Koolhaas has written of the Swiss minimalists. But the rapid decay of some of their best-known schemes exposes the unpleasant reality that comes with investing so much importance in the pure physicality of the artifact. Buildings, after all, get left out in the rain. They should be designed so that they are not the worse for wear because of it.

Mindful of how hard it is to keep unadorned surfaces clean, and of how distracting the effects of weathering can be when there is little else to distract the eye, Herzog and de Meuron have turned increasingly to the use of exterior pattern in recent years. The pair have been unusually responsive to developments in contemporary art ever since their first joint project, in 1978, the creation of a performance work in Zurich for which they enlisted the participation of Joseph Beuys, who designed felt suits for the 70 members of the anarchic brass marching band that Herzog and de Meuron organized as part of the pre-Lenten carnival festivities. The architects' application of images appropriated from the work of painters and photographers removes the onus of invention from them and allows the resulting imagery to be read as somehow separable from the architecture.

AT THE RICOLA Production and Storage Building of 1992-1993 in Mulhouse, for example, Herzog and de Meuron applied a large repeat-pattern of a palmate leaf, taken from a photograph by the great botanical artist Karl Blossfeldt and silk-screened onto translucent polycarbonate wall panels. Yet the motif wound up looking like a new corporate logo for the cough-drop concern, whose packaging is likewise decorated with naturalistic depictions of plants. For their Technical School Library of 1994-99 in the German town of Eberswalde, not far from Berlin, the pair worked in concert with the photographic artist Thomas Ruff, who was obviously inspired by Andy Warhol and Robert Rauschenberg. The façades of the library, wrapped in alternating bands of concrete and glass panels, are emblazoned with silk-screened serial repetitions of news photos collected by Ruff over the years and etched directly into the cladding materials. The pictures range from scenes relating to Germany's postwar partition and eventual reunification (recalling Warhol's *Race Riot* and *Disaster* series), as well as art-historical icons such as Lorenzo Lotto's *Venus and Cupid* (shades of Rauschenberg's use of similar Renaissance masterworks in his silk-screens).

This is an uneasy fusion of Pop Art and the nineteenth-century practice of adorning the exteriors of libraries, museums, and other cultural buildings with the names and sometimes even the likenesses of the figures whose works were enshrined within them. Oddly, though, the Eberswalde library brings to mind quite different associations. With its compact masonry massing, its busily detailed horizontal decoration, and its tiny horizontal windows (the three rows of glass paneling are translucent and read as such only after dark), the building brings to mind nothing so much as the pre-Columbian architecture of Mexico. Even at a slight dis-

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tance Ruff's pictographs blur into illegibility; they might as well be stylized panthers or sun gods. And in the highly polluted air of the former East Germany, it is likely that these billboard signifiers of political history and high culture will likely become even more unintelligible within a very short time.

The Mexican architect Luis Barragán was one of the few great masters of minimalism since Mies, and in certain respects Barragán was Mies's better. Working with inexpensive, low-tech materials (most often stucco), he did not depend on the luxurious specifications to which Mies was drawn whenever the budget would permit, such as the golden onyx wall of the Barcelona Pavilion, or the bronze cladding of the Seagram Building. Barragán was secure enough as an artist to rely on the enduring power of walls, the powerful effects of deeply saturated color, and the certainty of age-old construction techniques, allowing himself to concentrate his mental energies on the subtleties of proportion, the very heart of the minimalist mystery. Why one very plain building works and another does not can be a matter of a few millimeters in one direction or another. Nothing that Herzog and de Meuron have yet accomplished remotely approaches Barragán's rejection of the inessential that is the definition of true minimalism. With their mounting international success, will they seek the less that is more, or the more that is less? ■

The Back Stacks

By Helen Vendler

American Poetry: The Twentieth Century

(The Library of America, 2 vols., $35 each)

I suppose there is a place for historically representative anthologies, but they are fundamentally depressing. These first two volumes of the Library of America's proposed four-volume anthology of American poetry in the twentieth century run to eighteen-hundred pages, and I imagine that we can expect eighteen-hundred more pages with the appearance of the last two volumes. So many feeble poets; so many non-moving poems; so many withered dictions; so many sterile experiments. And so much pretentiousness; so much well-meaning polemic; so much prose masquerading as poetry; so many dubious poetics.

It has been argued that gifted poets, large and small, stand out more brilliantly when placed among their contemporaries; but must we read Leigh Hunt to value Keats justly? Not really. Every century's infatuation with its own work eventually comes to an end, and the harsher anthologists of a later day deal more stringently with the century's deposits. The eighteen-hundred pages of the two present volumes will probably shrink, in a short time, to something like four hundred pages, and the minor writers will subside to what Robert Lowell called "the back stacks" of the library, to be occasionally resurrected for extra-aesthetic reasons.

In the meantime, we are offered this great trawling through the pages of forgotten books and extinct magazines, so that Eliot and Frost and Moore can be surrounded by poems by Frances Densmore, John G. Neihardt, Abbie Huston Evans, Badger Clark Jr., and so on. Most of the minor writers of whom one has not heard are women or minorities, clearly inserted so as to create "balance." Still, it is hard on these poor striving recruits to be put into the same pages with Stevens and Williams.

The Advisory Board for these volumes consists of the poets Robert Hass, John Hollander, Carolyn Kizer, and Nathaniel Mackey, and the critic Majorie Perloff. There is no statement of editorial principle in either volume, but there has been a good deal of publicity from spokespersons for The Library of America. In the March/April issue of *Humanities*—the magazine sponsored by the National Endowment for the Humanities, which supplied $250,000 to fund *Twentieth Century Poetry*—Geoffrey O'Brien, the editor-in-chief of the Library of America, is quoted as follows:

> The vitality of this period is amazing. Contemporaries described it as a renaissance or a revolution, and many saw it as the aesthetic declaration of independence of American poets no longer in thrall to English models or Victorian values.... Ultimately, what we are looking for is work that remains vital. This anthology is not a museum of dead poetry. It is a compilation of work that retains a spark of something truly alive. Our intent is not to include only certified masterpieces. We've put in some odd, idiosyncratic poems imbued with social context, which gives them power.

The rehearsal of a single criterion—"Vitality... work that remains vital... a spark of something truly alive"—is suspicious. Vital to what judgment? Vital to whom? All this remains unspecified. "Certified masterpieces" is a phrase that implicitly endorses the idea that somewhere there is a hidden Board of Certification starring some poems and extirpating others. "Poems imbued with social context, which gives them power": what sort of power? to which readers? This is the evasive rhetoric of those arguing for "representativeness" in lieu of intellectual and formal mastery.

There is plenty of poetic excellence in this anthology—from the gravities of Eliot to the smiles of Cummings—but there is plenty of non-excellence, too. "By offering a rich array, the new *American Poetry* solves the dilemma of selection," the author of the *Humanities* article artlessly declares. One could "solve the dilemma of selection" of almost anything—an NBA team, a medical-school class, the Oscars—by allowing all comers a place; but to do so would represent a failure of mind and judgment, not a "solution." It is true that the anthology "gives ample space to major writers": how could it not? But need the anthology be bloated by the "rich array" of others? Political correctness says it must. In truth, I sympathize with the editors. Once you are subject to the distributive criteria of the NEH in its present incarnation, you have to be "representative."

The problem with representativeness is that it tacitly agrees that anything which presents itself in verse form deserves a place in an anthology of "poetry." The difference between "poetry" and "verse" used to be preserved in such distinctions as "light verse" and "epitaphs in verse" and children's "verse," but the distinction has fallen into disuse. Everything is now "poetry," from *Green Eggs and Ham* to the haiku that your child brought home from the third grade—and the most intense and concentrated and original efforts of the human mind are classed as "poems" along with the vapid or well-meaning rest.

Helen Vendler is the author, most recently, of *The Art of Shakespeare's Sonnets* (Harvard University Press).

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I pass by the anthology's oral verse—folk poems and song lyrics (which make poor reading without their music but which aid mightily in "representativeness") to get on to the real question: the value of the "poems" included here which were composed as such by poets. Here is a sample "poem" from Volume Two, neither better nor worse than many others—harmless, well-meaning, with a clear "message." Its author, Lindley Williams Hubbell (1901-1994), was a Yale Younger Poet who taught in Japan and became a Japanese citizen. The poem is about his interest in fossils, and at first glance it is no different from what you might have seen last week in this magazine or another:

Ordovician Fossil Algae

This is the oldest book
That I can read with pleasure.
The Cambrian trilobite
Is an unpleasant sight,
As for Pre-Cambrian algae I look and look
And cannot see them, though I'm told they're there.

But these
Exquisite fern-like forms
Printed upon the rock,
These fragile plants that have survived the storms
Of some odd billion years
Move me almost to tears.

So I come here often
To see these delicate stems
Breathed on the rock like frost crystals on a window,
But permanently,
But forever.
This rock is my favorite book, my favorite picture,
My dependable scripture,
My sense of wholeness, a billion years at my elbow.

We see stanzas (three of them, the last longer than the other two), and we see rhymes ("book/look," "trilobite/sight," "forms/storms," "years/tears," "picture/scripture," and "window/elbow"). The writer has let himself off the hook of having to get the rhymes in the same place each time, or of having the stanzas follow a pattern, so no very strenuous demands are being made in those respects. There is no particular effort at concision; instead we find "I look and look," "these . . . forms, . . . These . . . plants. . . these . . . stems" (with adjectives that one doesn't have to search far to find—"exquisite," "fragile," "delicate"); and we encounter the tautological lines, "But permanently / but forever," and the inert repetition, "my favorite book, my favorite picture."

Language and form, in sum, are not being worked hard by authorial concentration. Instead an agreeable message ("I don't like some fossils but I really like these") is being voiced in cliché (these fossils "Move me almost to tears"). The poem ends in the mixed metaphor of unconscious bathos ("a billion years at my elbow"). Hubbell no doubt enjoyed registering his feelings in verse, and the Library of America has gone to some lengths to find this work. (It is reprinted by permission of Hubbell's Japanese literary executor.) But what have we gained by reading it? At best, the sociological knowledge that the nineteenth-century interest in fossils and the ancient religious notion of the natural world as a form of "scripture" continued to our own century. But we knew that already. The poem contains absolutely nothing that could interest someone hungry for what only poetry can provide: an urgent sense of the outer or inner world exactly captured in surprising rhythmic language and original form.

THESE TWO VOLUMES are laden with mediocre verse resembling Hubbell's in conventionality. They also have—at the other end of the spectrum—more than their share of mediocre "experimental" verse, most of which also puts no very great demands on itself. The weirdest item of this sort is the "Death Wail" of Elsa von Freytag-Loringhoven (1874-1927), which begins—and continues—as follows:

Ildrich mitzdonja—astatootch
Ninj—iffe kniek—
Ninj—iffe kniek!
Aff—karr—
Arrkarr—barr...

Mardoodaar! ! !

At the same pole, we find the uninteresting experimental poems of John Cage (1912-1992). Cage is shown composing an acrostic that (unlike traditional acrostics) does not arise from the first letter of each line. Instead, a letter at any place in the next line can be used to continue the acrostic (here, the word INDETERMINACY). I offer first a regularized form of the three stanzas from *Composition in Retrospect* included in the anthology. Using the dislocations of time, reference, and syntax familiar from surrealist verse, they read as follows:

"You can't be serious," she said. We were drinking. A record was being played, not in the place where we were, but in another room. I had found it interesting, and had asked what music it was, not to supply a particular photograph but to think of materials that would make it possible for someone else to make his own, a camera. It was necessary for David Tudor: something, a puzzle that he would solve, taking as a beginning what was impossible to measure, and then returning what he could to mystery. It was while teaching a class at Wesleyan.

It is not a very compelling piece of prose. And here is the first stanza of Cage's deployment of it in acrostic form:

you can't be serIous she said
we were drinNking
a recorD
was bEing played
noT
in thE place
wheRe we were
but in another rooM
I had
fouNd it interesting
And had asked
what musiC it was
not to supplY

Is the paragraph any more interesting in this form? It ought to be, if the poem has any claim on us. But the mid-line acrostic doesn't seem to me a form that produces any aesthetic result: it is too easy. Let me do an INDETERMINACY mid-line acrostic of my own:

In making
a poem with No
form or Definite
fEeling
I can Tell
my rEaders
aRe bored
alMost as soon as
I
begiN to
write A new
Cage
storY

People may find this fun as a parlor game, but what new insight about art does it give us? (I mean Cage's excerpt, not mine.) Cage preaches indeterminacy, which is worth thinking about as an aesthetic concept, but does he produce an interesting example of indeterminacy? Not to my eyes, at least. Nothing is staler than "avant-garde" art once the conceptual experiment has been made. Historically, there may be a case for registering the fact of the experiment; aesthetically, there is not much to be gained from it once its moment is over.

If a lot of "experimental" verse is bor-

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ing, so is self-righteous polemic. Here is the overkill of Kenneth Patchen (1911-1972) in full rant:

> O the lions of fire shall awake
> And the valleys steam with their fury
> Because you are sick with the dirt of your money
> Because you are pigs rooting in the swill of your war
> Because you are mean and sly and full of the pus of your pious murder
> Because you have turned your faces from God
> Because you have spread your filth everywhere

I say "overkill" not because I think that human corruption is limited, but because language becomes less effective the more it assaults the reader's sensibility with more of the same: "sick" plus "dirt" plus "pigs" plus "swill" plus "mean" plus "sly" plus "pus" plus "murder" plus "filth" equals turnoff.

A comparable sort of turnoff is produced by the conventional protest vignette (Negro thief, trigger-happy cop) of Frank Marshall Davis (1905-1987), because it simplifies both criminal and policeman. "All thieves steal because they're poor and hungry," he instructs, "and all policemen will shoot rather than use more restrained means." This is his poem "Sam Jackson":

> The moon was a thick slab of yellow cheese between thin slices of toasted clouds
>
> The night air spilled steak and coffee smells from a sack of odors hauled from the Elite Café
>
> Beneath penniless Sam Jackson's window two dogs argued like nations over a morsel found in a garbage can
>
> Strong Hunger slashed Sam's belly with eagle talons until he staggered wounded and sore to the street
>
> Daily papers itemed: "An unidentified Negro was shot and instantly killed late last night by Officer Patrick Riley while trying to break into the rear of the Dew Drop Inn..."

We see here the journalist's wish to write the "true" story behind the newspaper story, to set right the scales of justice. But a poem is not an anecdote. It is an abstract truth symbolically projected. And if it is not true that all black thieves are driven by hunger and that all cops shoot to kill, then the poem has failed its obligation to present full social truth. A "true" poem would somehow reflect not only the black author's anger at the news of a black thief being shot by a white policeman, but also his agonized sense of the complexity of any sudden night-confrontation between legally-defined crime and the police. The poet would have to be (mentally) both Sam Jackson and Patrick Riley, at least for a moment: and that moment of confusion would be vividly felt in the language of the poem.

Along with the sins of the avant-garde and the sins of the polemicist, we can find in the anthology the sins of the decadent. R. P. Blackmur (1904-1965) was a wonderful critic, but he was no poet. He sounds, in "Seas Incarnadine," like someone who has gotten drunk on Hopkins and Crane:

> I could not see nor hear nor breathe, but held,
> Sea-crucified, back-nailed against granite, wind-fast, tight-drenched, flat-flailed, a sacrifice
> vainly surrendered to unpropitiable seas.

In a vein equally decadent, but in her case spiky and spindly, Mina Loy (1882-1966) ransacks the dictionary:

> ... a white towel
> Wipes the eymophanous sweat
> —Mist rise of living—

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From your
Etiolate body.

And Djuna Barnes (1892-1982) sounds simply freakish:

Call her walking-mort; say where she goes
She squalls her bush with blood. I slam a gate.
Report her axis bone it gigs the rose.
What say of mine? It turns a grinning grate.

THE GOOD NEWS is that the Library of America anthology also has good poems by the score, many of them unfamiliar to the general reader. And since most writers, even good ones, publish more than they should publish, it is useful to be given an attractive selection from their copious production. The rule of thumb followed by the editors seems to be that any major author (Eliot, Stevens, Frost) rates forty to eighty pages, that a middle-rank one (Sandburg, Jeffers) deserves ten to thirty pages, and that the rest are held to one to three pages. The most egregiously over-represented among the better-known writers (by pages roughly counted) are H.D. (45), Zukofsky (30), and Stein (50).

A little of Stein—who was a better prose writer than poet—certainly goes a long way, and 20 pages (20 pages!) from "Lifting Belly" is unbearable. There is no way of demonstrating the unbearableness of it other than to quote a tiny twentieth of it, a sample page of forty lines:

Lifting belly another lifting belly
I question the weather.
It is not necessary.
Lifting belly oh lifting belly in time.
Yes indeed.
Be to me.
Did you say this was this.
Mr. Louis.
Do not mention Mr. Louis.
Little axes.
Yes indeed little axes and rubbers.
This is a description of an automobile.
I understand all about them.
Lifting belly is so kind.
So is whistling.
A great many whistles are shrill.
Lifting belly connects.
Lifting belly again.
Sympathetic blessing.
Not curls.
Plenty of wishes.
All of them fulfilled.
Lifting belly you don't say so.
Climb trees.
Lifting belly has sparks.
Sparks of anger and money.
Lifting belly naturally celebrates.
We naturally celebrate.
Connect me in places.
Lifting belly.
No no don't say that.
Lifting belly oh yes.
Tax this.
Running behind a mountain.
I fly to thee.
Lifting belly.
Shall I chat.
I mean pugilists.
Oh yes trainer.
Oh yes yes.

Imagine (if you can) eight hundred lines of this, twenty long pages of it. Imagine against it twenty pages of almost anyone else—Stevens, Moore, Crane, Williams—and say which pages you would rather reread tomorrow, and ten years hence.

SAMUEL JOHNSON ONCE declared that it was easier to say what poetry is not than what it is. It is simpler, therefore, to point to authorial absurdities than to praise the great poets' original crystallizations of language. Those are self-sufficient and have already become unquestionable: "In just- / spring"; "April is the cruelest month"; "Back out of all this now too much for us"; "I placed a jar in Tennessee"; "By the road to the contagious hospital"; "The age demanded an image"; "I, too, dislike it." If a good deal of the poetry in this anthology does not reach that level, it is, in the acuter poets at least, thoughtful and self-revealing. If it does not have the complexity of form that compels language into an integral unit, it has the reflectiveness of carefully chosen words.

If you read without aesthetic expectations, the anthology will reward you on the level of human significance: "This person thought thus-and-so about twentieth-century life." If you read with aesthetic expectations, the anthology will often exasperate. It makes you realize how many talents a really good poet needs. Edna St. Vincent Millay (1892-1950) had a nice way with rhythm, but in her fondness for writing sonnets she often had to stretch for rhyme. If you want to write about sex, you are hard-pressed for rhymes, and the strain shows: *sex*, *vex*, and *complex*—so far so good—but how to find a fourth? *Decks*? *Hex*? *Wrecks*? *Pecks*? Millay settles for "necks," but one can hear the creak:

I, too, beneath your moon, almighty Sex,
Go forth at nightfall crying like a cat,
Leaving the ivory tower I laboured at
For birds to foul and boys and girls to vex
With tittering chalk; and you, and the long necks
Of neighbors sitting where their mothers sat
Are well aware of shadowy this and that
In me, that's neither noble nor complex.

And "Shadowy this and that" is as weak as "the long necks": both ought to make the reader wince. A better poet would not have let either stand. And yet—if one forgets those aesthetic expectations—it is liberating to see a woman poet able to acknowledge the irrational compulsions of sex. The teenager coming to these handsomely-produced volumes for information on what people think about will find samples like this, and will profit. But the person looking for a believable sonnet will have to turn the page.

THE LIBRARY OF America volumes bear out the usual sociological truths rehearsed about twentieth-century American poetry. The Eastern states do better than the West. Women and blacks are by now writing in greater numbers (though they are far from equalling, in total numbers and gross achievement, the writing done by white males). The lyric is more commonly practiced than the epic or the narrative in verse. Free verse dominates. Patriotic and nationalist verse declines; so does religious verse. Poetry is more often private than public, more often quotidian than apocalyptic. Technology (a bridge, an airplane) begins to occupy more space in the lyric. A great number of significant poets were born between 1874 and 1895: Frost, Stevens, Williams, Pound, Jeffers, Moore, Eliot, Cummings. The next generation (1899-1911) has only Crane, Hughes, Roethke, and Bishop. (Revisionists would add other names, but there is not yet common consent on the significance of later poets other than the four whom I have listed.)

These are not very interesting truths, because they are aggregate ones. Art is not agglutinative. It is a matter of individual poems, each with its claim, none strictly comparable. There is no rule by which we recognize power. It imposes itself on us, no matter what its form. There is the grand gesture of the Orphic poet in Crane's "Voyages":

—And yet this great wink of eternity,
Of rimless floods, unfettered leewardings,
Samite sheeted and processioned where
Her undinal vast belly moonward bends,
Laughing the wrapt inflections of our love;

Take this Sea, whose diapason knells
On scrolls of silver snowy sentences,
The sceptred terror of whose sessions rends
As her demeanors motion well or ill,
All but the pieties of lovers' hands.

And there is the play of the graphic art-

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ist as Cummings rearranges a grasshopper:

r-p-o-p-h-e-s-s-a-g-r

who
a)s w(eloo)k
upnowgath

PPEGORHRASS
eringt(o-
aThe):l
eA
!P:

S

And there is the language of the higher nonsense in Roethke:

Who stunned the dirt into noise?
Ask the mole, he knows.
I feel the slime of a wet nest.
Beware Mother Mildew.
Nibble again, fish nerves.

And the gesture of desperate simplicity in Stevens' Snow Man, who

... Nothing himself, beholds
Nothing that is not there and the nothing that is.

And the moment of insoluble conundrum as Bishop discovers identity:

But I felt: you are an *I*,
you are an *Elizabeth*,
you are one of *them*.
Why should you be one, too?

The reader, coming on these various kinds of aesthetic power for the first time, notes the lines, puts a mental bookmark at the writer's name, and realizes that something more than, and other than, "message" or "information" or "meaning" has occurred. What has occurred, of course, is idiosyncratic style.

"And all the rest is literature," as Gautier said. Next to the good, the rest is just reflection or description or freakishness; "thought" or "scene" or "experiment." And the flourishing of well-meaning "thought," and the photography of aimless "description," and the meaninglessness of arid "experiment" are always with us. They are all mixed up in this anthology, for which the epigraph should be the poem by the admirable Kenneth Fearing (1902-1961) called "Reception Good":

Now, at a particular spot on the radio dial, "—*in this comer*, wearing purple trunks,"
Mingles, somehow, with the news that "—powerful enemy units have been surrounded in the drive—"
And both of these with the information that "—there is a way to avoid having chapped and roughened hands."

Such are the new and complex harmonies, it seems, of a strange and still more complex age;
It is not that the reception is confused or poor, but rather it is altogether too clear and good.

The "too clear and good" reception of the poetry of the twentieth century in these two volumes means that somebody else, with sterner criteria, will have to boil it all down to the actually remarkable and the really readable. With a little brisk skimming, however, one can find the remarkable and the readable in these eighteen-hundred pages, even with all the stuffing in between; and that is at least better than the reverse. ■

The Bummer of Freedom

By JAROSLAW ANDERS

City Sister Silver by Jáchym Topol translated by Alex Zucker

(Catbird Press, 512 pp., $40)

SOON AFTER THE fall of communism in Eastern Europe, the literature of the region turned dark and apocalyptic. Younger writers especially, whose formative years coincided with communism's protracted decline in the 1980s, seemed to favor surreal, sinister fantasies, in the mode of William Burroughs. Their writings harshly presented a vision of a violent, fragmented, and incomprehensible reality, whose heroes eagerly participate in the general carnival of transgression, or watch it from the sidelines as horrified, dejected outcasts. There was also a sudden renewal of interest in the darker, more provocative traditions of European writing, from de Sade through the Decadents of the turn of the previous century to Céline, Genet, the American Beats, and Western postmodernism.

This shift in literary sensibility was not entirely unexpected. Underground publications of a new type—an underground within an underground—had begun to appear in Eastern Europe since the early '80s. Probably the best known among them were the *Revolver Revue* in Czechoslovakia and *Brulion* in Poland, though similar, often ephemeral, publications sprang up all over the place. Their mostly young authors and editors rejected the falsities of the official Communist culture; but they also looked with skepticism upon the dominant "dissident" literature, which they saw as constricted by formal conservatism, open didacticism, and excessively collective preoccupations. In their own writing they tried to recover a more individualist or "existential" standpoint, and also the more anarchic traditions of literary modernism.

The young writers certainly looked with suspicion upon the programmatic positivism and optimism of their politically involved elders. It was as if they realized that communism had created not one but two utopias. The first one, the utopia of the classless paradise, was in their times thoroughly discredited, and hardly worthy of serious polemic. But there was also its antithesis: the utopia of the world without communism, a "post-political" or "anti-political" era more hospitable to the human spirit that anything created so far by the Western democracies. This latter dream weaved its way through books and statements of many prominent Eastern European intellectuals of the time, including Vaclav Havel, Adam Michnik, and Miklos Harasti. But the younger writers and intellectuals, who divided their time between clandestine seminars organized by the opposition and noisy rock clubs, were not buying this visionary naïveté; and they were proven right shortly after the fall of the old regime, when the world of material austerity turned into a caricature of Western consumerism, and many

JAROSLAW ANDERS writes frequently on Eastern European literature.

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of their idealistic mentors turned into squabbling, power-hungry politicians.

An element of generational envy might have also played a role in this sudden change of tone in the Eastern European writing. The dissident culture created mostly by the generation of the 1960s and 1970s was also the swan song of the old "intelligentsia," with its near-reflexive veneration of artistic and intellectual pursuits. To be a writer, especially a writer in the service of a noble cause, conferred almost automatically an extraordinary degree of respect, even reverence. But those who came to literature after the Great Unraveling found themselves in a position with which their Western colleagues are familiar: they were forced to vie for attention and money in a society whose energies were rapidly shifting to other, more material preoccupations. Hence the necessity to speak in a much louder and more dramatic voice than the voice of their fathers, who could command attention with only a whisper, a touch of irony, a subtle allusion. All these transitions amounted to a certain cultural trauma, whose echoes are still reverberating throughout the new literature of Eastern Europe.

Marriage Poem

Under-appreciated today for his epigrammatic wit,
Ben Franklin advised in his part of the 18th century:

There's more to marriage
than four bare legs in bed.

A chair's been set near a stand of trees
where at night you can watch unencumbered
the heavenly configurations resolve above.
And there's time to imagine the moon,
the *moon*, made so much of
during moments of reconciliation,
introspection and general reconsideration.

At this hour it's a shadow of itself,
a molar in the heavenly order
rounded by distance, its volume
above the chair a body of alien air,
a medium of aging light. It's best
not to name love but find a way into belief,
where *belief* like a cloudless night
reveals its interest star point by star point.

We are still four bare legs, but tonight
we've been careful to cover ourselves
with blankets—a cool night pricked
with starlight and moonlight.
It is even late at night. And here
in these chilly hours we pursue what we imagine
can be believed forever over the years.

Daniel Halpern

JÁCHYM TOPOL, A Czech writer born in 1962, and a founder of the *Revolver Revue*, is one of the most talented representatives of this ascending generation. He was six years old during the Prague Spring of 1968, and fifteen years old when Charter 77 started to make its rounds. He turned eighteen almost on the day that Solidarity broke out in Poland. He comes from a renowned intellectual family: his father Joseph Topol is a well-known playwright, poet, and translator of Shakespeare, and one of his grandfathers, Karel Schulz, was the author of a monumental work on Michelangelo.

Owing to his father's dissident activities, Topol was denied a college education and spent his youth doing all sorts of menial jobs. One of the youngest signatories of Charter 77, he soon became active in the Czech samizdat movement. In the '80s he made several clandestine trips to Poland and helped to organize a cloak-and-dagger meeting between Polish and Czechoslovak dissidents in a remote mountain location. On one of those outings he was arrested, and he spent a couple of weeks in a Polish military prison.

At the same time Topol was acquiring a reputation in Czechoslovakia's "other" underground as a lyricist for the rock group *Psí vojáci*, or Dog Soldiers, which was created in the late 70s by his younger brother Filip. He still writes lyrics for Czech singers, and some of his poems have been set to music and issued on a compact disc by his brother. Topol's first novel, *City Sister Silver*, was published in 1994, and was acclaimed by Czech critics as a turning point in the history of Czech prose. A recent survey placed it rather high on a list of the hundred best Czech novels of the century, among the works of Havel, Hrabal, Kundera, Škvorecký, Klima, and Páral. Such lists are just the gimmicks of literary editors, of course; but there is no doubt that Topol's rich, hypnotic fantasy about the post-Communist wasteland is an impressive literary phenomenon.

The book opens with an anguished, fractured monologue full of somber images, shreds of memories, and references to vague, seemingly disconnected events. It is a voice of the sheerest despondency, pure grief, speaking through time that is "fading in the pale light, turning more translucent, losing its color and taste...." The speaker is on the threshold of insanity, or beyond it: "You still feel the pain in your chewed-up fist, the one you stuff in your mouth to keep from talking, to keep from telling yourself what it really is, what's wrong: with you." The obscurity of this intriguing and (at first glance) purely associative stream of consciousness is relentless, and it may cost the novel some of its readers. But soon things become a bit more transparent: some of the images that appeared at first to be merely poetic figures will turn out to refer to actual facts in what may be called the novel's "reality." Occasionally the book will even relax into a fast-paced yarn closer to an adventure story than to Beckett. Still, the cryptic, disjointed monologue keeps returning, especially when the narrator wishes to conceal from us an event of crucial importance.

The narrator is Potok, a young actor in an experimental theater in Prague, who takes us back in time to what he calls "the Stone Age" shortly before the fall of communism, to the square in front of the West German embassy in Prague crowded with Germans from the DDR lining up for exit visas to the West. As Potok says, "that was the place where I began to feel the motion, where time took on taste and color, where the carnival started for me." The motion in question is undoubtedly the motion of history awakened, but for the novel's protagonists it will soon assume a much more cataclysmic and cosmic character.

The final decline of communism is watched by Potok, his girlfriend Bará, and a group of their young friends. They are more than passive observers. Inspired by Poles, "always bleeding and fighting," they organize street gangs that form a new, more riotous echelon of the dissident movement. They pass around petitions, distribute leaflets, hurl cobblestones at the police. But they are motivated less by politics than by the youthful pursuit of heightened being. "Exploding time can not only crush you," Potok remarks, "you can swim in it, or hold it in your hand, like a piece of fabric or a coin. It can be like a gas, or like earth, sometimes it can feel like wind."

Yet when communism—the "concrete block, stifling anything that tried to move

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on its own"—is finally removed, the excitement abruptly ends. Topol captures with great accuracy the sense of sudden unsteadiness mixed with a paranoid uncertainty about what really happened to the "old" reality. Is it gone for good, or is it just hidden behind a new stage set? "You're still walking the boards in the same performance, the same familiar set, your rankled nerves detect the presence of the board of directors, the ones that're runnin the show, and is it? or is it not? part of a plan? is it by design? You still sense the nasty looks on the other side of the curtain, the sneering, the rat, the wicked uncle's grin." The "explosion of time" that shattered the concrete block of communism has unsettled the very foundations of reality and strewn the landscape with strange hybrid forms, belonging neither to the new time nor the old time. This is freedom, certainly; but freedom lacking a principle of cohesion.

EVERYTHING IN TOPOL'S imagined world appears deformed beyond recognition. Prague, one of the most beautiful Eastern European cities, is shown as a post-apocalyptic, spectral metropolis existing in some kind of sinister, timeless zone peopled by an assortment of gangs, cults, secret organizations in which people huddle together in the atmosphere of general lawlessness and anarchy. A strange metaphysical terror grips the city. What started as a caricature of the first post-Communist days soon turns into a macabre fantasy about the End of Days. There are mysterious disappearances and supernatural events, haunted wells that swallow the innocent, otherworldly apparitions. The church bells in Prague are silent owing to a papal interdiction. It seems that the Prince of Darkness himself has taken up residence in the city of St. Wenceslas, sending around packs of his minions, deranged punks known as "hitlers" or "stalingos." Something awful appears to have transpired in the very fabric of the universe. The rubble left by the totalitarian system is merely a symptom of a more cosmic breakdown.

Idealists and dissidents are also strangely transformed: they are now a bunch of small-time hoodlums and hustlers. Potok hooks up with a group called the Organization, one of the "tribes" that fight for survival in the anarchic environment. It includes the crooked lawyer Micka, the defrocked priest Bohler, the American re-patriot Sharky Stein, and the shy peasant genius David. Together with Potok, a master of disguises and impersonations (his old acting skills stand him in good stead in the new reality), they are running slum tenements, dealing in stolen cars, selling all kinds of Asian junk, defrauding public funds, and occasionally blackmailing former Communist informers. They commit all these crimes less out of greed than out of a sense of community: this is their way of engaging in the "changed world around."

There is also something poetic, almost metaphysical, about the sudden explosion of materialism:

> What I liked most were the coins, the eyes of a wide-ranging organism, their gaze as cool as the distant stars, the cold wind blows over them too ... we soon realized money wasn't the metal we used to buy our beer or red wine and the Northerners their rum, but that money was debts, stamped and unstamped papers, money grows from money, multiplying through division like cells ... money is words, friendship, low blows, promises, money reacts magically when the right doorknobs are polished, stacking up with each smile in the right place at the right time ...

Like every mafia worth its name, the Organization exists also to provide its members with a sense of moral order in the otherwise unprincipled, unlegislated world. The members call it the Contract, and they draw clear and unambiguous limits to their depravity: "porno okay, but never with fleas ... and fleas means kids ... we don't transport, distribute, or offer drugs to anyone that isn't already hooked." They do not deal in guns, or in Semtex, despite the increasing demand for such lethal products, and they have a protective attitude towards all "small creatures ... the unfinished ones that can't defend themselves ... and also children and small dogs..." Bohler the priest roams the streets at night, in the mostly futile hope of saving some of Prague's urchins, and he leads secret expeditions to destroy stores selling what he calls "teufils," ugly Western toys that he believes the devil places in the hands of children to inculcate them with violence. And the Organization also has a mystical secret: its members are waiting for the coming of the Messiah.

The grotesque deformation of the world in which Topol's characters move is mirrored in the similarly distorted language of the novel. "Coincidentally the tongue I use is one of Czechs, of Slavs, of slaves, of onetime slaves to Germans and Russians, and it's a dog's tongue," explains the author. "A clever dog knows how to survive and what price to pay for survival. He knows when to crouch and when to dodge and when to bite, it's in his tongue." This language clearly bears the scars of old and recent battles, though those of us who do not read Czech can only imagine how it really sounds.

In his helpful preface, the translator Alex Zucker reports that Topol's language can shift, within a single paragraph, or even a single sentence, from literary to streetwise, with an entirely different syntax and vocabulary. Apparently it is also full of flagrant foreign contaminations, as well as an assortment of jargons and private neologisms. Zucker obviously faced a formidable task of translation, and he successfully reproduces this peculiar mix in something that resembles the language of *A Clockwork Orange*—a combination of real and invented street slang, criminal argot, and Slavic-sounding words and expressions. Occasionally the translator (or is it the author, or both?) pulls a little joke on the reader. During his battles with the stalingos, Bohler uses a mysterious weapon called "*olovrant*." In fact, "*olovrant*" is a Slovak word meaning "afternoon snack."

AT TIMES THE story of the Organization, with its endless intrigues, mysteries, unexplained events, and demonic encounters, becomes a little reminiscent of Elmore Leonard's weird thrillers or the more "literary" productions of Stephen King. The book morphs through an endless array of styles and genres, all masterfully recreated and parodied. With each of its sudden turns it leaves the reader groping for balance, and wondering whether he is being set up by the writer. Just as we think that we have figured out the writer's ironic distance towards the reality that he describes, the distance suddenly shifts. The scene of the final battle between the Organization and the stalingos, for example, opens in what looks like a mock-heroic tone ("and Bohler, now Bohler the Great, stood by the wall of the building as it blistered in the heat"), but just as we are ready to relax and enjoy the epic, Topol shows us horribly mutilated bodies and the face of a gang-raped girl. ("Helena's face was cruelly aged with two bloody slashes and sprinkled all over with some kind of powder. I hope it's powder, I thought.") This sense of tonal vertigo is one of the book's oddest devices, yet it also prevents the book from sliding into pomposity or into camp.

What complicates things the most, though, is Potok, the novel's enigmatic narrator. He seems to belong to a different order of reality from the other elements of the story. Part existential drifter, part Dostoevskian reprobate, he seems to be burdened with some horrible secret that he will not reveal even to his trusted friends. He is visited by nightmares and by apparitions of death, and pursued by invisible demons whom he calls the Shadows. Very little is known about his past. His flashbacks reveal a childhood in a conventional

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family of the intelligentsia (his parents made him study English and Latin), but now he seems to have no family at all. He spent some time in prison, probably for political activity, but also in a mental asylum. He is something of a latter-day Villon (a knife in his pocket, a silver medallion with an image of Madonna on his neck) in love with darkness and fear. As he confesses at the beginning of the novel, "without fear I could do anything except create . . . because the only way I can make up human characters and play around with them is if I know the wicked old horror of life and the horror of its ending. . ."

AGAINST THE GROTESQUE, and fantastic, and often comic background of the book, Potok's pain, and his longing for some kind of redemption, seem peculiarly trenchant and real. Clues about the source of this pain are scattered throughout the novel. On the day that the Germans were leaving Prague, when communism was teetering and time was about to "explode," Potok experienced yet another cataclysm. It concerned his girlfriend Bará, known also as Little White She-Dog, with whom he sneaked out of the commotion to make love in the coal cellar of a house with a lion's head on the door. (This door and this sign are significant, as are many seemingly fortuitous details in Topol's novel.)

Potok and Bará are childhood friends, and also, as the narrator casually informs us, sexual partners since childhood. "Our petting, culminating in orgasm for me and then, much later, for her as well, was more than just giving and receiving of bliss, it was the ritual of an encircled tribe." There is something innocent, and magical, about the intensity of their relationship; but also something ominous. When they make love, Potok sees "red darkness" and hears the echo of She-Dog's mind in his own. "It would've meant death," he says, "if either of us had pushed the other away, or let go." Shortly after their tryst the girl disappears, and she is never seen again. What really happened in the coal cellar? What was Potok's role in the girl's disappearance? This is the central mystery of the novel. There is certainly enough circumstantial evidence strewn throughout the novel, as well as some half-coerced confessions, to enable the reader to form his opinion, but there is hardly any material evidence.

"Potok" means "stream" in Czech, and he seems to be a man in constant transition, rushing frantically from one bizarre adventure to another. What propels him forward is a quest for a woman whom he calls his "Sister," whose identity he does not know, but whom he believes he was promised by She-Dog before she disappeared and turned into a "she-demon with inscrutable intentions." After the Organization is destroyed, Potok decides that "Sister" is really the barroom singer with raven-black hair (hence her nickname Černá, or "black") whom he has been eyeing on for some time. An abused child, a drunk, and a tramp, she is almost as crazy as Potok. She has her own secrets, demons, and nightmares. She lives in an attic apartment with a name on the door that may or may not be her name, and bookshelves lined with classics she claims never to have read. Another existential outcast, she seems to be Potok's spiritual double, his true "sister" in desolation.

Their love affair is a tangle of tenderness, sadism, and an endless chain of misfortunes. Caught in yet another fantastic conspiracy, they are forced to leave Prague and to set out on a nightmarish escape through Eastern European countryside with haunted woods, ghost towns, and abandoned villages. They try to return to the city, but after horrifying mishaps and bizarre adventures (including a trip on a phantom train, and a visit to the Andy Warhol museum in his ancestor's Slovak village) they always end up near a little town called Ušnica. Only when Potok loses Černá is the spell broken, and he returns to Prague.

Yet his journey through hell is far from over. He lives for a while among the homeless in the underground railway station, and later in a city dump, the home of a whole community of Dump People who survive on the copious refuse of the consumerist society. Sometimes his dejection appears to rich almost the level of ecstasy: "This is happening? This exists? And I'm here to witness it? On the inside I was all curled up, but my body was taut. I didn't take anything for granted. It's here. It is what it is. And I'm a part of it. It's . . . sometimes it's even beautiful and I enjoy it. That's enough." At the city dump the hero also has an encounter with the Creature, most likely the devil himself, whom he has to kill with a silver bullet made of his Madonna medallion. Afterward he decides to return to the coal cellar in the house with the lion sign; but before he reaches his destination he is miraculously transported to a convent where, under the care of a beautiful and chaste sister Maria, his healing begins.

IT IS HARD to tell how much of this actually happens, or even if any of this actually happens. Topol's novel has many levels of unreality: hidden trapdoors open unexpectedly within already surreal narratives leading into still more phantasmagoric landscapes. Some of those passages are identified as dreams or visions; and there are also dreams within dreams, visions within visions. The whole sequence of Potok's escape with Černá seems to be taking place outside the ordinary time. Perhaps even Černá herself is not entirely human, but a mere product of Potok's erotic fantasy, like certain characters in Genet's novels. If she is a symbol, as we are sometimes led to believe, she is an oddly contradictory one: sometimes Potok's Beatrice leading him to light, sometimes she is the very personification of the "darkness" with which he seems to be in love. There is even a fleeting suggestion that she may be the wrong "sister," that Potok was destined to meet somebody else.

These mysteries add to the novel's appeal, but they also frustrate any attempt to extricate meaning from Topol's fables. The question of meaning is not entirely spurious: Topol himself begs it by filling his novel with archetypes, myths, legends, and references to sacred texts and momentous historical events. During one of his "dreams," for example, Potok is transported to Auschwitz, which appears to him as a cosmic black hole warping both humanity's past and future, "the place where all the time from every world in human heaven collides." Later the death camp assumes the form of the Valley of Dry Bones, but the prophecy that Potok receives there is the antithesis of Ezekiel's prophecy: not only will the murdered tribe not be restored to life, but we should give up all hope of the coming of the Messiah. He, too, died in the ovens and "all that awaits us till the day we die is the hopeless, meaningless life of a worm." It is all interconnected, Topol seems to suggest: humanity's murderous history culminating in the Holocaust, Potok's dark secret, even the post-Communist malaise. Yet it is almost impossible to determine where the connection lies, beyond the rather obvious and tired fact that all these things are a part of "the wicked old horror of life."

THE NOVEL ENDS on a surprising—and rather unconvincing—note of hope. Potok lives in an almost conjugal bliss with one of his former girlfriends, and teaches her son "some of the old words, the ones I haven't forgotten yet." He expects a child of his own, and he has even started working as an actor again (though this time in commercials rather than in an experimental theater). The bells in the city are ringing again, and there is a strong possibility that the Messiah has actually been born. Potok still vacillates between Černá (whom he keeps seeing in the streets and on television and in glossy magazines) and reality, but there is at least a suggestion of new serenity in his life.

If the voice that we hear at the beginning of the novel is the voice of the "new" Potok telling the story of his journey

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through the Dark Night of the Soul, then his "rebirth" at the journey's end is problematic. In fact, it looks only like a trick to make us believe that the journey was a "progress" after all, that it really had a meaning. Perhaps nothing really happened on that day when the Germans were leaving Prague, and nothing ended when Potok returned to the city from his mad escapade with Černá. As the endlessly complicated plots unfold, the reader starts to suspect that the hero's terrible secret, and his mystical visions, and the landscapes of post-Communist desolation, are merely new and exotic trappings of the familiar saga of the angst that weaves its way through much of modern literature.

> Some places on the eternal wheel of the world there were death, solitude, and insanity together with love and compassion and the solidarity of the human tribe. Here it was dark and there it was light, and we lived mostly in between. I trained my eyes to see the dividing line. I stabbed myself in the heart and it healed itself up, ripped off my fingers and the next morning they were back. Cut the nerve, and they wiggled. Wanted to die, but just made money.

Yes, we know. We have been there, too. There is something almost reassuring about the fact that post-Communist angst is not much different from the angst of the mature market democracies. What good news! If they are writing about "death, solitude, and insanity," they must finally be living in a normal world.

If this is what Topol's book is about, then it delivers less than it has been promising. Topol certainly has a seemingly unstoppable imagination, and he can do interesting, often beautiful things with language. These great gifts help him to avoid the perennial dangers of the literature of angst: boredom and inertia. By piling up puzzles, plots, fantasies, conspiracies, horrors, and satires, by switching literary conventions and withholding crucial information, he creates a perfect illusion of movement. He really does seem to be unveiling some important existential mystery. Until the novel is over, that is; and then it becomes flatteningly clear that there is no real mystery to reveal. At the book's end we know as much, or as little, about the hero as we knew when we were introduced to his pained monologue. Topol's riotous imagination and the mad poetic energy of his language are not adequately matched by intellectual discipline and narrative restraint; and so the novel slips into exactly the kind of ponderous, dystopian rant that it works so hard to rise above.

City Sister Silver is a perilously ambitious literary enterprise, striving for the kind of "totality" of form and vision that has been the undoing of many first novels. Where can this talented writer go from here? And the same may be asked about all of the literature of Eastern Europe in the aftermath of communism and in the aftermath of dissent. Eastern Europe is still a place where powerful memories and anxieties lurk below the surface of the "normal" and "new" societies. Younger writers such as Topol seem convinced that there is something unique about their experience and their historical moment—something that requires a wholly new literary idiom. But the idiom upon which they have come to rely merely repeats familiar modernist clichés; and this casts a certain doubt on the novelty of their "new" experience. Perhaps something strange and unsettling did happen to Topol's generation while the rest of the world was celebrating the fall of communism. Whatever it was, whatever the "explosion of time" really means, the new writers of Eastern Europe keep searching for the proper literary form; but so far their search seems inconclusive. The singularity of their encounter with history is still awaiting its voice. ■

CORRESPONDENCE

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cousins, it did so in a totally dishonest way, suggesting the news had come from Cuba's Communist Party newspaper, *Granma*, rather than crediting the *New Times*.

As for the complaints about not contacting Baron, Alberto Ibarguen, or Tom Fiedler, there was no reason to contact them (neither Baron's nor Fiedler's name even appeared in my story). They were not the "targets" of the article, which was a critique of what I found (or didn't find) in the *Herald*'s pages. Besides, I had a lengthy interview with Mark Seibel, the editor in charge of most of the *Herald*'s Elián coverage, and I spoke to numerous reporters in the *Herald*'s newsroom.

Hoyt is correct that the *Herald* won a Pulitzer last year. But overall there has been a decline. From 1980 to 1993, the paper won eleven Pulitzers. Since then, it has won two, only one of which was for news-gathering. Next, Hoyt complains because one of the *Herald*'s editors told me that the effect of many changes at the *Herald* under publisher David Lawrence was that the paper "quit doing tough stories." Well, Hoyt should talk with his colleagues: this is conventional wisdom among people I talked to in the *Herald* newsroom.

The *Herald* itself described Lawrence's hiring in 1989 as part of Knight Ridder's "intensive campaign to make its newspapers friendlier institutions." And, yes, Lawrence brought to the *Herald* civic journalism, a feel-good reporting trend that clearly dovetailed with the paper's decision to go easy on the Cuban-American establishment. Jack Nelson writes that I "cited not a single example" of a newspaper hurt by civic journalism. Did he read my article? It was subtitled "Why *The Miami Herald* blew the Elián story."

To the editors:

Ryan Lizza's portrayal of *The Miami Herald* hits the mark in such a profound way. However, one glaring fact about the *Herald* and *El Nuevo Herald*, the paper's Spanish-language edition, was not addressed: the dichotomy of the two papers' editorial pages. The *Herald* is attempting to portray itself as a leader in helping to bridge the gap between the ethnic groups that are so distinctly divided in the aftermath of Elián's "rescue." But you can't pander to the Anglos on one hand and the Latinos on the other and call it a genuine effort in bridge-building.

Recently, the *Herald* ran an article in which a prominent Cuban-American business leader and the head of Facts About Cuban Exiles called for a rethinking of how the exiles and our politicians can detach Fidel Castro from the local issues affecting Miami-Dade County. *El Nuevo* ran the same article, written by the same journalist, but with no mention of these prominent Cuban-Americans. On May 9, the president of Mothers Against Repression in Cuba published an editorial titled "Respect Will Heal Community" in the English-language *Herald*. No mention of it in *El Nuevo*. The editorial pages of the *Herald* are filled with guest columnists who espouse ways to bridge the gap as well as offer thoughtful insight into the machinations of the "exile" community. *El Nuevo* is not interested in publishing editorials, by either gringos or Cuban-Americans, that contain provocative thought regarding how our community is going to mend its divisions.

It is becoming evident that *El Nuevo* is nothing more than the propaganda arm of the Cuban American National Foundation and the other "exile" groups that haunt Miami-Dade County. The *Herald* explains all this away by saying, "Well, we have two different editorial boards." That's the kind of arrogant attitude that is running the print media in Miami.

Jerry Graulich
Miami, Florida

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WASHINGTON DIARIST

Drop Dead

RICK LAZIO HAS MANY annoying traits. He's as perky as a male cheerleader. His face seems stuck in a goofus grin. He wears his ambition on his sleeve. But none of these attributes is nearly as annoying as his tireless promotion of the virtues of authentic New Yorkers. In recent weeks, you may have suffered through some of his self-serving homilies: New Yorkers "don't back down from a fight"; New Yorkers "love an underdog"; New York is "the best and most beautiful." There is, however, another characteristic of his state that he routinely neglects to mention: It brims with insufferable snobs.

THE NATIONAL MEDIA HASN'T DERIDED Lazio's New York triumphalism, for a simple reason: The national media has spent the last decade making the same argument itself. Like arms of the New York Chamber of Commerce, TV networks and newspapers have endlessly recycled stories about the revitalization of Times Square, the birth of Silicon Alley, and the decline of crime in the city. Sitcoms portray Manhattan as an island of hunks and waifs where unemployed actors and minimum-wage baristas live in 3,000-square-foot apartments across from Central Park. Even the sophisticates at *The New Yorker* occasionally fall prey to cheesy boosterism. Writing in the magazine last week, for instance, the usually arch Kurt Andersen swooned, "New York has the power to make the urban fantasies of its residents and visitors feel real."

AND, LIKE ALL SNOBS, NEW YORKERS don't stop at self-congratulation; they must also deprecate others. For a time, the city elevated itself by denigrating Los Angeles, *Annie Hall* being the locus classicus of this strain. But in the 1990s, as movie actors, production companies, tofu wraps, and Pat Riley migrated from Tinseltown, New Yorkers conveniently dropped their anti-L.A. pose. That left Washington, D.C., as the prime target of New York's animus. In the Manhattan mind, Washington is a city of bland philistines happily shopping at Dress Barn and dining at T.G.I. Friday's. You hear this malarkey all the time at Manhattan cocktail parties. And you can see it in *The New York Times*, which has bashed Washington's downtown for being "devoid of life." Or, as the paper's roving snob R.W. Apple Jr. claimed, "High culture is about as popular a diversion in official Washington as stock-car racing in the Ivy League."

IT SHOULD BE EASY ENOUGH FOR Washingtonians to dismiss New York triumphalism as the product of naïve Zabar's socialists. It's hard not to laugh at criticism from a city whose recent contributions to American political life include Al Sharpton and Dick Morris. (And, when the market crashes, see where Wall Street comes running for help. Do the words "Drop dead" ring any bells?) But New York triumphalism and its corollary, anti-Washingtonism, have nonetheless found an audience among Washingtonians themselves, especially those under 35. Many of my local friends have internalized the New York critique and regularly daydream about ditching D.C. for The City. Each year we lose a few more souls to emigration—seduced by a series of powerful but fallacious arguments.

FALLACIOUS ARGUMENT NUMBER ONE: New York has more restaurants, theater, and art than Washington. Sure, this is statistically true—New York is a lot bigger. For instance, *Zagat* lists 15 Brazilian restaurants in New York; Washington has four. To the average citizen, however, this is an utterly meaningless distinction. For most New Yorkers, I suspect, four Brazilian restaurants would be more than enough. There is, I'll concede, a small subculture of genuine culture mavens, the sort of people who require 15 different interpretations of Brazilian regional cuisine, as well as Uzbek poetry readings and feminist Yiddish theater. But, among those who cite the city's cultural abundance as evidence of its superiority, the mavens are vastly outnumbered by New Yorkers who order in pizza and couldn't tell the difference between *feijoada* from São Paulo and *feijoada* from Recife if their lives depended on it.

FALLACIOUS ARGUMENT NUMBER TWO: New York has a more vibrant intellectual life than Washington. I am as big a nostalgist for the City College cafeteria circa 1936 as the next guy, but that age has passed. The plethora of literary and political journals that once made New York so lively—*Partisan Review*, *Commentary*, *Dissent*, *Esquire*—have either run out of energy or turned their pages over to photo spreads of half-naked models. (Exceptions like *The New York Review of Books* and *The New York Times Book Review* usually rely on contributors who don't live in New York.) Meanwhile, Washington's intellectual life has grown steadily more robust—especially compared with the 1950s, when the brainy members of the city's elite could fit around Joseph Alsop's dining-room table. During the last 30 years, think tanks have sprouted up in D.C. like mushrooms, recruiting hordes of academics to the city. Even opinion journals have moved from New York to Washington. In 1988, in these pages, Irving Kristol wrote a defense of his decision to relocate his little magazine, *The Public Interest*, to Washington. Kristol lamented that New York had ceased to be "the nation's intellectual center, where 'literary intellectuals' live and write and excoriate one another," and he hesitatingly predicted that Washington would rise in its place. Unlike New York, whose thinkers share certain broad assumptions about politics (i.e., they mostly think like Ruth Messinger), Washington, he said, hosts "ideological controversy, which is what animates an intellectual community of the traditional kind."

FALLACIOUS ARGUMENT NUMBER THREE: Washingtonians are political bores. To be fair, Washingtonians often say this themselves. But the frequency of the argument undermines its veracity. I probably encounter more people who carp about the omnipresence of political discussion in D.C. than people who actually engage in it. The problem isn't that Washingtonians are single-mindedly obsessed with politics; it's that they are self-loathing, which is largely New York's fault.

I CAN UNDERSTAND WHY NEW YORKERS are so hostile. Once upon a time, New York was a unique, cosmopolitan ideal of the good life that attracted the brightest lights from the boonies, people like Mary McCarthy, F. Scott Fitzgerald, and Robert Rauschenberg. But the truth is that New York has squandered its urban exoticism. Now the city boasts more Gaps and Barnes & Nobles per capita than any suburb in the country, and its popular culture isn't far removed from that of Minneapolis or Dallas. Washington, on the other hand, has strangely resisted this pop-culture ubiquity. It has no Disneyfied Times Square-like theme park. Chain stores are surprisingly sparse within the city limits. Washington's magazines have yet to decide that the 23-year-old clotheshorse is their target audience. In other words, if you're a Washingtonian who craves a truly exotic, stimulating environment, stick around. At least that's what I'm telling my friends.

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